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JOURNAL OF THE PROCEEDINGS
OF THE
NATIONAL
REPUBLICAN CONVENTION,
HELD AT WORCESTER,
OCTOBER 11, 1833.

PUBLISHED BY ORDER OF THE CONVENTION.



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REPORT OF THE BOARD OF

TRUSTEES

OF THE

AMERICAN MUSEUM OF NATURAL HISTORY

FOR THE YEAR 1901

NEW YORK

AMERICAN MUSEUM OF NATURAL HISTORY

1902

REPORT

OF THE BOARD OF TRUSTEES

1902

JOURNAL OF PROCEEDINGS.

At a Convention of National Republican citizens from all parts of the State of Massachusetts, assembled according to previous notice, at Worcester, on the 11th of October, 1832, .

Hon. STEPHEN WHITE, of Salem, was elected chairman *pro tem*.

Prayers were offered by the Rev. Dr. Bancroft, of Worcester.

On motion of Mr. E. EVERETT, it was

Voted, That the Chairman nominate a Committee, to consist of one from each Congressional District, whose duty it shall be to report to the meeting, a list of Officers for the Convention, as follows, :—one President, four Vice Presidents, and three Secretaries.

The following named gentlemen were accordingly nominated, by the Chair, and the list adopted by the meeting, as follows :—

For <i>Essex North District</i> ,	Hon. Benj. F. Varnum.
<i>Essex South</i> ,	Stephen C. Phillips.
<i>Suffolk</i> ,	Charles P. Curtis, Esq.
<i>Middlesex</i> ,	Hon. Samuel Hoar.
<i>Franklin</i> ,	Charles P. Phelps.
<i>Plymouth</i> ,	Seth Sprague.
<i>Bristol</i> ,	James C. Hodges.
<i>Barnstable</i> ,	Barker Burnell.
<i>Worcester North</i> ,	David Wilder.
<i>Worcester South</i> ,	John W. Lincoln.
<i>Berkshire</i> ,	Samuel M. McKay.
<i>Norfolk</i> ,	Warren Lovering, Esq.
<i>Franklin</i> ,	Henry Coleman, Esq.

Voted, To add to the above Committee, George Bliss, Esq. of Hampden District.

The Committee having retired, subsequently came in and reported the following list of Officers for the Convention :—

NATHANIEL SILSBEE of Salem, for <i>President</i> .	
GEORGE BLAKE, of <i>Boston</i> ,	} <i>Vice Presidents.</i>
JOSEPH LYMAN, of <i>Northampton</i> ,	
AARON TUFTS, of <i>Dudley</i> , and	
CORNELIUS GRINNELL, of <i>New Bedford</i> ,	
THOMAS KINNICUTT, of <i>Worcester</i> ,	} <i>Secretaries.</i>
CHARLES BUNKER, of <i>Nantucket</i> ,	
WILLIAM PORTER, Jr. of <i>Lee</i> ,	

Which report was unanimously accepted by the Convention.

The following communication from the Hon. THOMAS L. WINTHROP, was read, and laid on the table.

BOSTON, Oct. 8, 1832.

Sir,—As one of the principal subjects to be considered at the meeting of the National Republicans, from all parts of the State, to be held at Worcester on the 11th instant, is that of selecting candidates for Governor and Lieut. Governor, for the ensuing political year, permit me to request the favor that you will state to the Convention, that I beg leave most respectfully to decline being again considered a candidate for the office which I have now the honor to hold. I pray you, Sir, to assure the Convention that I feel most truly grateful to my fellow-citizens for the suffrages which for seven successive elections they have, most kindly and liberally, bestowed upon me. Sincerely and ardently wishing for the continued prosperity of the Commonwealth, I have the honor to be, with sentiments of great respect.

Sir, your obedient and humble Servant,

THOMAS L. WINTHROP.

To the Chairman of the National Republican }
Convention of Massachusetts. }

Voted, That the Secretaries be instructed to prepare a list of the members attending upon this Convention.

Mr. AUSTIN, of Boston, submitted the following Resolutions.

Resolved, That a Committee be appointed to consider and report what mode shall be taken to nominate suitable persons

to be supported by the National Republicans of this Commonwealth, for Governor and Lieutenant Governor for the year ensuing.

Resolved, That a Committee be appointed to consider and report what mode shall be taken for the nomination of Electors of President and Vice President of the United States.

Resolved, That a Committee be appointed to prepare such Resolutions as it may be proper for this Convention to adopt.

Resolved, That a Committee be appointed to prepare an Address to the People on the subjects of the approaching State and National Elections.

Resolved, That these Committees consist of seven persons, respectively, and that the appointments be made by the Chair.

The question having been taken upon these resolutions, they were unanimously adopted.

The Chair proceeded to make the following appointments, in accordance with the above Resolutions.

Upon the subject of Governor and Lieut. Governor, as in the first Resolution,

Alexander H. Everett,	of	<i>Boston.</i>
John Reed,		<i>Yarmouth.</i>
John Davis,		<i>Worcester.</i>
John Howard,		<i>Springfield.</i>
Samuel Hoar,		<i>Concord.</i>
Thomas Melville,		<i>Pittsfield.</i>
Leverett Saltonstall,		<i>Salem.</i>

Under the second Resolution, in relation to Electors of President and Vice President,

Horace Mann,	of	<i>Dedham.</i>
Jonas B. Brown,		<i>Boston.</i>
William W. Parrott,		<i>Gloucester.</i>
Luther Lawrence,		<i>Lowell.</i>
Jared Coffin,		<i>Nantucket.</i>
Thomas Rossetter,		<i>Great Barrington.</i>
Ira Barton,		<i>Oxford.</i>

Under the third Resolution, to prepare Resolves for the adoption of this Convention,

James T. Austin,	of	<i>Boston.</i>
Thomas Conkey,		<i>Amherst.</i>

James C. Hodges,	of	<i>Taunton.</i>
Rufus Choate,		<i>Salem.</i>
John Keyes,		<i>Concord.</i>
Henry Chapman,		<i>Greenfield.</i>
George J. Tucker,		<i>Lenox.</i>

Under the fourth Resolution, to prepare an Address to the people,

Edward Everett,	of	<i>Charlestown.</i>
Abbott Lawrence,		<i>Boston.</i>
Thomas A. Gold,		<i>Pittsfield.</i>
George Bancroft,		<i>Northampton.</i>
Stephen Merrihew,		<i>New Bedford.</i>
Joseph G. Kendall,		<i>Leominster.</i>
Stephen C. Phillips,		<i>Salem.</i>

Voted, That the Hon. Mr. BULLARD, member of the House of Representatives of the United States, from Louisiana, be invited to take a seat on the floor of this body. Adjourned to 3 o'clock, P. M.

AFTERNOON SESSION.

The Convention met, pursuant to adjournment.

Mr. A. H. EVERETT, of Boston, from the Committee on the subject of Governor and Lieut. Governor, reported the following resolution.

Resolved, That a Committee of one member from each Congressional District be appointed to select and report candidates for the offices of Governor and Lieut. Governor of the Commonwealth for the ensuing year, and that this Committee shall be appointed by the Chair.

Which report was accepted by a unanimous vote—and the Chair appointed

Samuel Hoar,	of	<i>Middlesex.</i>
Samuel M. McKay,		<i>Berkshire.</i>
Charles P. Phelps,		<i>Franklin.</i>
Gideon Barstow,		<i>Essex South.</i>
Amos Spaulding,		<i>Essex North.</i>
Henry A. S. Dearborn,		<i>Norfolk.</i>
John S. Russell,		<i>Bristol.</i>

Bezaleel Taft, Jr.	of	<i>Worcester South.</i>
Nathaniel Wood,		<i>Worcester North.</i>
John Howard,		<i>Hampden.</i>
Charles J. Holmes,		<i>Barnstable.</i>
Samuel T. Armstrong,		<i>Suffolk.</i>
John Beal,		<i>Plymouth.</i>

as the Committee recommended by the Report.

Mr. MANN, of Dedham, from the Committee appointed under the second Resolution, made a report, recommending the following resolve :—

Resolved, That the President of this Convention appoint a Committee, consisting of one from each Congressional District: that it shall be the duty of said Committee to obtain from the delegates of each Congressional District, the name of one person, selected by said delegates, as a candidate for the office of Elector, and report the same to the Convention ; and that said Committee shall also report one person selected by themselves, to be an Elector at large.

The question having been put upon the acceptance of this Report, it was unanimously accepted.

The President then appointed the following named persons, as the Committee proposed in the above report, viz.

William Sullivan,	of	<i>Suffolk District.</i>
John W. Lincoln,		<i>Worcester South.</i>
Calvin Townsley,		<i>Worcester North.</i>
John Wyles,		<i>Hampshire.</i>
James Richardson,		<i>Norfolk.</i>
Israel Trask,		<i>Essex South.</i>
John Varnum,		<i>Essex North.</i>
John Nevers,		<i>Franklin.</i>
John Z. Goodrich,		<i>Berkshire.</i>
Hezekiah Battelle,		<i>Bristol.</i>
Isaac L. Hedge,		<i>Plymouth.</i>
William J. Whipple,		<i>Middlesex.</i>
David Crocker,		<i>Barnstable.</i>

Mr. AUSTIN, of Boston, from the Committee appointed under the third Resolution, made a Report, recommending the following Resolves as proper for the Convention to adopt :—

Resolved, That in the opinion of this Convention, the present Administration of the State Government has been distinguished by its impartiality, independence and vigilant regard for the rights, interest and honor of the Commonwealth; by its attachment to those principles of public policy on which our prosperity and union essentially depend, and by an adherence to which the Constitution of the United States is to be maintained and perpetuated. And that it is the duty of every citizen of Massachusetts to show the enthusiasm which he ought to feel for the free institutions of his country, by a noble disregard of all local and minor interests, in a generous support of those men and those measures, by which the past prosperity of the State has been eminently promoted.

Resolved, That this Convention concur in the nomination of HENRY CLAY, of Kentucky, to be President, and of JOHN SERGEANT, of Pennsylvania, to be Vice President of the United States, for the term of four years next ensuing.

Resolved, That while we deplore the disgrace which our country has sustained by the imbecility of the existing Administration of the Government of the United States, and avow our apprehension that the high integrity, and proud spirit of patriotism, which distinguished its earlier annals, have been sacrificed to a miserable competition for the spoils of party victory and the personal emoluments of office; we have strong confidence in the redeeming power of the people, and an animating hope that this great Nation will again be placed under the councils of those eminent Statesmen, by whose wisdom, under God, its power is to be maintained, its resources developed, its industry promoted, its union established, and the blessings of free government, which eminently and almost exclusively it has possessed, extended to the latest posterity.

On motion,

Voted, That the foregoing Report be for the present laid upon the table.

Voted, That the Hon. SAMUEL SMITH, and Mr. PRENTICE, of New Hampshire, now in this town, be invited to take a seat on the floor of the Convention.

Voted, That the Convention do now adjourn to seven o'clock this evening.

EVENING SESSION.

The Convention met pursuant to adjournment.

The Resolutions reported by Mr. AUSTIN were taken up, and, upon motion of Mr. WEBSTER, were made the order of the day for to-morrow at ten o'clock.

Voted, To adjourn to nine o'clock to-morrow morning.

FRIDAY MORNING, OCT. 12.

Mr. SULLIVAN, of Boston, from the Committee on the subject of Electors, made the following Report:—

Resolved, That the virtues and wisdom of illustrious citizens, acting in the spirit of exalted patriotism, have given to the people of this State, (as part of a national community,) a federative Government, which has proved to be capable, throughout an experiment of nearly a half century, of securing prosperity, in all our land, and of commanding all the consideration and respect, which nations may and ought to manifest towards each other; that we hold this National Union in the highest respect and reverence; that we discern in its intended operation, the best assurance, within human experience, of the duration of national liberty; and in its destruction, the certainty of confusion, civil war, and despotism.

Resolved, That on the recurrence of the period for the exercise of Constitutional power, (in the last instance,) to elect a President of the United States, a majority of electors sincerely believed that in electing the present Chief Magistrate, they were honestly performing the sacred trust enjoined on them; that they had rested the highest power, in a citizen who understood the duties assigned to him; that all Legislative acts adapted to promote the public welfare, and submitted to his approval, would be approved by him; and that all laws confided to his execution, would be truly and faithfully observed in obedience to the public will, constitutionally expressed.

Resolved, That in the opinion of this Convention, a majority of this nation are now convinced, that the expectations formed of this Chief Magistrate were unfounded; and that the trust confided to him has been dangerously misused; and that under his countenance and approbation a faction has suddenly risen into power, which has separated its own interests from those of the People; which substitutes its own will for the law of the

land ; and which uses power to perpetuate its own power: that a majority of this nation now see, that in the-midst of unexampld prosperity, and in the absence of all foreign contention, they are rapidly advancing in the melancholy path, through which all free nations, that history tells of, passed from the enjoyment of civil freedom to the dominion of a master.

Resolved, That this Convention rejoices to see, that these truths are generally perceived, and admitted; that the evidence is daily becoming stronger, that the People are, as they ever should be, the watchful guardians of their own rights and liberties ; that they are able and willing to distinguish between men, and the performance of duties, which men assume ;—between professions, and measures; between the use of power for the common good, and for the good only of those who hold it; and that this nation is about to see the dignified exercise of that conservative, peaceful and remedial authority, which can arrest the progress of misrule and usurpation.

Resolved, That this Convention see, with sorrow and alarm, that some of our fellow-citizens, dwelling in the southern part of our common country, entertain the opinion, that the natural bond of union, which the venerated Washington devoted the last days of his public life to commend to the affections of his countrymen, has lost its value in their estimation; and that they openly propose resistance to the laws enacted under its authority: that in the inevitable consequences of this unexpected and discouraging avowal, we discern no possible good; but only the most distressing and appalling evils among all who are, or have been, friends, associates, or neighbors: that we cannot forbear to express our sincere respect, and deepest sympathy for those among them, who regard the Union, in the true spirit from which it arose, and as far transcending all objects which can be submitted to the authority of legislation.

Resolved, That (with the distressing exceptions just alluded to,) the present prospects of this nation ought to bring gladness to every heart, animated with good will, and honest hope, for the preservation and perpetuity of blessings which no people on earth *but* those of the United States, can *have* by merely *choosing* to have them; and that, with these feelings and hopes, this Convention cordially concur in the nominations made by the Convention of National Republicans at Baltimore. And with the view, and for the purpose of securing to the people of the United States an Administration worthy of the national frame of Government, that the following list of citizens of this State be proposed to our constituents as the candidates to be supported by them for the office of Electors of President, and of Vice President, for the ensuing election

ELECTORS.

*At large.*CHARLES JACKSON, of *Boston.**Suffolk District.*THOMAS H. PERKINS, of *Boston.**Essex South District.*GIDEON BARSTOW, of *Salem.**Essex North District.*EBENEZER MOSELY, of *Newburyport.**Middlesex District.*NATHAN BROOKS, of *Concord.**Worcester South District.*AARON TUFTS, of *Dudley.**Worcester North District.*SAMUEL LEE, of *Barre.**Franklin District.*EBENEZER MATTOON, of *Amherst.**Hampden District.*JAMES BYERS, of *Springfield.**Berkshire District.*HENRY SHAW, of *Lanesborough.**Norfolk District.*JAMES RICHARDSON, of *Dedham.**Plymouth District.*JOTHAM LINCOLN, of *Hingham.**Bristol District.*CORNELIUS GRINNELL, of *New Bedford.**Barnstable District.*NYMPHAS MARSTON, of *Barnstable.*

On motion of Mr. EVERETT, of Charlestown, it was Voted, To postpone the further consideration of the Resolutions embraced in the foregoing Report, to 10 o'clock this morning.

Voted, unanimously, To accept that part of the Report recommending Candidates for the office of Electors.

Voted, To reconsider the vote assigning 10 o'clock for the consideration of the Resolutions embraced in the Report of Mr. Austin.

Voted, unanimously, To adopt the first Resolution recommended in said Report.

The Committee upon the subject of nominating Candidates for the offices of Governor, and Lieutenant Governor of which Mr. Hoar, of Concord, was chairman, made the following Report :—

The Committee appointed to nominate to the Convention Candidates for the offices of Governor and Lieutenant Governor of the Commonwealth, for the ensuing political year, have attended to that duty, and respectfully report that His Excellency LEVI LINCOLN be nominated to the People of this Commonwealth, as the Candidate for Governor, and that SAMUEL T. ARMSTRONG, of Boston, be nominated as the Candidate for Lieutenant Governor, for the next ensuing political year.

By order of the Committee.

SAMUEL HOAR, *Chairman.*

The foregoing Report was then, on motion, accepted by the Convention.

On motion of Mr. DEARBORN, of Dorchester, a Committee of five was appointed by the Chairman to inform His Excellency LEVI LINCOLN, of his nomination for the office of Governor, and SAMUEL T. ARMSTRONG, Esq., of his nomination for the office of Lieutenant Governor of this Commonwealth, and to request their acceptance of said nominations.

The following gentlemen composed the Committee :—

H. A. S. Dearborn, of <i>Dorchester.</i>	Alfred D. Foster, <i>Worcester.</i>
Charles P. Curtis, <i>Boston.</i>	James C. Alvord, <i>Greenfield.</i>
Asahel Huntington, <i>Salem.</i>	

On motion of Mr. GOLD, of Pittsfield,—Voted, That a Committee of five, be appointed by the Chair, to invite His Excellency Governor LINCOLN to take a seat on the floor of this House. The following gentlemen composed said Committee :—

Thomas A. Gold, of <i>Pittsfield.</i>	John Davis, <i>Worcester.</i>
Barker Barnwell, <i>Nantucket.</i>	Rufus Choate, <i>Salem.</i>
Nathan Appleton, <i>Boston.</i>	

On motion of Mr. EMMONS, of Hinsdale, the Convention then proceeded to the consideration of the remaining Resolutions reported by the Committee of which Mr. AUSTIN was chairman, When Mr. WEBSTER addressed the Convention.

On motion of Mr. DAVIS, of Worcester, the Convention then adjourned to 3 o'clock, P. M. this day.

AFTERNOON SESSION.

The Convention met, pursuant to adjournment.

Mr. EVERETT, of Charlestown, chairman of the Committee appointed to prepare an Address to the People on the subjects of the approaching State and National Elections, submitted a report of an Address, which was, on motion of Mr. Davis, of Worcester, unanimously adopted.

Voted, To adopt the remaining Resolutions reported by Mr. Austin, and the Resolutions accompanying the Report of the Committee on the nomination of Electors.

Mr. DEARBORN, from the Committee appointed to inform his Excellency LEVI LINCOLN, and SAMUEL T. ARMSTRONG, Esq., of their nominations to the offices of Governor and Lieutenant Governor of the Commonwealth, for the ensuing political year, reported the following communications and answers:—

WORCESTER, Oct. 12th, 1832.

To his Excellency LEVI LINCOLN,

SIR,—We have the honor of being charged with the duty of announcing that you have been nominated as Governor of this Commonwealth for the ensuing political year, by the National Republican Convention, now in session in this town, and we are instructed to request the favor of your answer to this nomination.

With high respect, we are your obedient servants,

H. A. S. DEARBORN,	} Committee.
CHARLES P. CURTIS,	
ASAHEL HUNTINGTON,	
A. D. FOSTER,	
JAMES C. ALVORD,	

WORCESTER, October 12th, 1832.

GENTLEMEN,—I have received, with deep sensibility, the communication of the pleasure of the numerous and distinguished Convention, which you represent, in *proposing* my re-election to the office, which, by the favor of my fellow-citizens, I have now the honor to sustain. The satisfaction expressed with the course of the Executive Administration of the Govern-

ment, and the confidence implied by this renewed nomination, in my faithful endeavors to discharge the high trust, will remain with me, the most cherished reward for well-intended efforts in the public service.

On entering upon the term of office, at each successive Election, I have looked only for a continuance in it, to the constitutional period of its limitation, and have truly and anxiously sought, from year to year, to anticipate any manifestation of public sentiment in favor of my voluntary retirement. Conscious of being influenced by no other consideration, than that which requires of every citizen, in a free Government, the performance of his political duties, and a respectful deference to that expression of the popular will, which prescribes the sphere of his public action, I have now gratefully to submit myself, in the approaching canvass, to the disposal of those, who will best judge how far my humble abilities may be made instrumental in promoting the peace, honor, and prosperity of the State, in the administration of its affairs. With the political sentiments, views, and proposed measures of the Convention now assembled, as I understand them, I have the honor entirely to accord. A perilous crisis, in the condition of our beloved country, is fearfully impending. The institutions of civil liberty, the charter of the Constitution, the union of the States, the integrity and independence of the most sacred department of the Government, the redemption of the violated faith of the Nation in the treatment of the Indians, the advancement of the great interests of the People in the pursuits of domestic industry, the credit of the country in the purity and solidity of its currency, are involved in the issue now joined before the People, upon the Presidential question. No individual citizen can escape his share of responsibility for the consequences of the decision, and no true Patriot will shrink from committing himself, personally, to the hazards, the sacrifices, and the exertions, which the safety of the country demands.

Be pleased to communicate to the Convention my respectful acceptance of the nomination with which they have honored me, accompanied with an assurance of my sense of the many obligations to my fellow-citizens, under which I am, most truly, their, and your, obedient servant,

LEVI LINCOLN.

To Hon. HENRY A. S. DEARBORN.

CHARLES P. CURTIS.

ASAHEL HUNTINGTON.

A. D. FOSTER.

JAMES C. ALVORD, Esqrs.

Committee of the National Republican Convention.

WORCESTER, October 12, 1832.

Gentlemen,—Your communication, announcing that the Convention have nominated me for the office of Lieutenant Governor of this Commonwealth, is received with those sentiments of gratitude which that honor is calculated to inspire.

Should my fellow-citizens confirm the doings of their delegates, and confer on me the office to which I have been nominated, it will be my constant endeavor to show that this confidence has not been misplaced.

With sincere respect, your obedient servant,
SAMUEL T. ARMSTRONG.

TO GEN. H. A. S. DEARBORN.

CHARLES P. CURTIS.

ASAHEL HUNTINGTON.

A. D. FOSTER.

JAMES C. ALVORD, Esqrs.

Committee of the National Republican Convention now in session at Worcester.

On motion of Mr. SULLIVAN, of Boston, the following Resolutions were adopted :—

Resolved, That this Convention entertain a grateful sense of the hospitality and kindness of the Inhabitants of the town of Worcester, on the occasion of this meeting.

Resolved, That the members of this Convention who see fit so to do, deliver to the principal Secretary such sum of money as they respectively think proper, and that the funds thus raised be appropriated to the payment of the expense of such printing as the Convention may order. And that if the Convention make no special order on the subject of printing, the publications to be made of the proceedings of this Convention be submitted to the direction and order of the Delegates from the town of Worcester.

On motion of Mr. DAVIS, of Worcester, the following Resolves were adopted :—

Resolved, That the Address to the People be signed by the President, Vice President, and Secretary of this Convention, and that it be published and distributed forthwith.

Resolved, That the Hon. DANIEL WEBSTER be requested to prepare a sketch of his remarks made this day to the Convention, to be published in connexion with the proceedings thereof.

On motion of Mr. BLAKE, of Boston,

Resolved, That His Honor THOMAS L. WINTHROP is, in the opinion of this Convention, entitled to the thanks of the people

of this Commonwealth, for the able and dignified manner in which he has for several successive years discharged his duties as Lieutenant Governor of this Commonwealth ; and that we have felt sincere regret that any circumstance should have induced him to decline being considered a candidate for the same office at the approaching election.

Resolved, That a Committee of three be appointed by the Chair, to wait upon His Honor, with a copy of the foregoing Resolves.

The following gentlemen were appointed to compose the Committee :—

Messrs. BLAKE,	} of Boston.
MERRILL,	
and SULLIVAN,	

On motion of Mr. BURNELL, of Nantucket,

Voted, That the thanks of this Convention be presented to the First Parish in Worcester, for the use of their Church during the sitting of the Convention.

On motion of Mr. EVERETT, of Boston,

Voted, That the thanks of this Convention be presented to the Rev. Dr. BANCROFT, for the able and impressive manner in which he performed religious services upon the opening of the Convention.

On motion of Mr. CARTWRIGHT, of Boston,

Voted, That 10,000 copies of the proceedings of this Convention, accompanied by the speech of Mr. WEBSTER, be printed for distribution, and that each member of the Convention be furnished with a copy.

On motion of THOMAS H. PERKINS, of Boston, the following Resolution was unanimously adopted :—

Resolved, That the thanks of this Convention be presented to the Hon. NATHANIEL SILSBEE, for the able, dignified and impartial manner in which he has discharged the arduous duties of presiding over their deliberations.

On motion of Mr. E. EVERETT, of Charlestown,

Resolved, That the thanks of this Convention be presented to the Vice President, and the Secretaries, for the appropriate discharge of their respective duties of the several offices.

The Convention then adjourned *sine die*.

ADDRESS

TO THE PEOPLE OF MASSACHUSETTS.

THE Convention of Delegates from the several towns in the State, assembled in unusual numbers at Worcester, for the purpose of recommending to their Constituents of the National Republican Party a list of Electors of President and Vice President of the United States, and Candidates for the offices of Governor and Lieutenant Governor of Massachusetts, beg leave to address their fellow-citizens on the subject of the approaching elections :—

They rejoice to have it in their power to congratulate the people of the Commonwealth upon the satisfactory aspect of the State Government. It is the peculiar privilege of the citizens of Massachusetts to have obtained for a series of years the services of a Chief Magistrate, eminently devoted to the principles and interests, with which the character and prosperity of the Commonwealth are blended. Called to the Executive trust by the earnest and repeated solicitations of his fellow-citizens, without distinction of party, he has not failed to requite their reasonable expectations. In the laborious and thorough discharge of ordinary duties, he has furnished an example of application and industry seldom witnessed in our public servants, and altogether deserving of special commendation. Conscientious and impartial in the exercise of the appointing power, he has filled the most important offices with the best men, and in respect, at least, to the purity of his intentions, has never afforded grounds of dissatisfaction and complaint. In superintending the relations of the State to the General Government, he has guarded our interests, with unceasing vigilance, and asserted our rights with becoming dignity and firmness. In the prosecution of public improvements, in the advancement of useful institutions, in the more convenient organization of the courts, and in the reformation of the prisons, his agency has been conspicuous and effective. In the suggestion of every practicable legislative expedient

for a salutary retrenchment of expenditures, and in the accomplishment of many executive measures in the civil and military departments, directly conducive to this object, he has done all that could be done, through the influence of his office, to subserve the purposes of a wise and just economy. In short, without a more minute review of the principles and measures which have distinguished the administration of GOVERNOR LINCOLN, it has appeared to the Convention, as they doubt not it will appear to a large portion of the citizens of the Commonwealth, to be exceedingly desirable to secure the continuance of his services for another political term; and they have the satisfaction to announce, that in compliance with the unanimous invitation of the Convention, he has again consented to be a candidate for re-election.

The present Lieutenant-Governor having declined a re-election to the office which he has filled for several years, to the entire satisfaction of the community, the Convention have found themselves obliged to make choice of a person to be recommended to the support of the people as his successor. In making the selection from several respected and worthy citizens, they have been guided by a comparison of opinions from every part of the Commonwealth, and by the wish that all its interests and feelings should be consulted. In this view, they have been led to designate SAMUEL T. ARMSTRONG, of Boston, as a suitable candidate for the office of Lieutenant-Governor of the Commonwealth, for the ensuing political year. Mr. Armstrong has been distinguished through life, for the purity of his private character, his exemplary diligence in the practical pursuits of life, and his discharge of the various social and public duties, which have devolved upon him. The Convention, in selecting him as a candidate, have proceeded in full confidence of his qualifications for an upright discharge of the duties of his office, and in the belief that his nomination will be generally acceptable to the good people of the Commonwealth, whom they have the honor to represent.

In turning their attention from the State Elections to that of a Chief Magistrate of the United States, the Convention are profoundly impressed with the magnitude and solemnity of the subject.

They cannot but regard the approaching presidential election as the most important which has been held in the United

States, since the adoption of the Federal Constitution. The choice of the Chief Executive Officer is in all popular governments the matter of greatest difficulty, and is that in which the strength of the system is most severely tried. The periodical exercise of the right of suffrage in choosing a President is, for this reason, at all times the most important duty which the People of this free country are called upon to perform.

The present election is peculiarly momentous. If the existing Administration is renewed, it will be considered (though erroneously) as a sanction, by the People, of the encroachments which it has made and attempted upon the Constitution, laws, and great interests of the country.

When the present chief magistrate was seriously proposed as a candidate for the first office in the gift of the People, and the minds of men had recovered from the surprise, into which they were thrown, by the suggestion, various benefits were promised by his partizans, and various evils were foretold by his opponents, as likely to result to the country from his elevation. It is the deliberate and solemn sense of the Convention, that not one of these benefits has been enjoyed; while every evil anticipated has been more than realized. To support this proposition, the Convention believe they shall be obliged to allege but little as matter of fact against the Administration, which is not both admitted to be true by its supporters, and even claimed as a merit.

When the President was nominated, his partizans generally held forth the promise of his retirement at the close of his first term. In his own first message to Congress, he himself declared an amendment of the Constitution restricting the office to one term of four or six years to be advisable. But in the face of the pledge given by his friends and of his own proposal, even to take from the People the power, in all cases, to re-elect a President, he is himself a candidate for re-election. Not only this, but when a proposition was introduced into Congress by one of the most distinguished of those who had promoted his election, for such an amendment of the Constitution, the step was denounced as hostile to the President, by the presses in his interest.

A memorable piece of advice had, in 1817, been given by the President himself to Mr. Monroe, to break down "the monster party," and to recall those then in the minority to a

share in the administration of the Government. This counsel gained for him the support of a large number of that class of citizens; and the People of the United States of all denominations, wearied with dissension and discord, approved the sentiment as magnanimous and patriotic. But on his accession to power, he became himself the head of a party, the most intolerant and proscriptive ever known in the country. And not only this, but all who refuse to fall into it and support his administration, are not merely denounced by his presses, but denounced by the name of *that* party to which he had spoken in the language of conciliation. We accordingly not only behold the whole strength of the Administration press put forth to revive a distinction of parties, against which the President had protested, while such a protest was of service to him; but in order to give to him personally the benefit of this uncandid procedure, we see men eminent as democrats, (while that division of parties existed,) now denounced as federalists, and leading federalists supported as democrats, merely because they happen to be opposers or supporters of this Administration.

It had been the main objection to the last President, that having been selected from the three highest candidates by the House of Representatives, he had placed in his cabinet a distinguished member of that body, who had voted for him.—Notwithstanding the unquestioned fitness of Mr. Clay for the office of Secretary of State, and the unreasonableness, not to say impossibility, of holding every man disfranchised for office, who may have contributed in any degree to promote the election of a President, the friends of the present incumbent deemed this appointment so dangerous an attempt on the purity of Congress, as to be itself sufficient ground of opposition to the administration of Mr. Adams. Gen. Jackson himself considered the danger so imminent, that he pressed upon Congress, in his first message, an amendment to the Constitution, disqualifying members of Congress for all appointments except the judicial. But notwithstanding this his own declared opinion of the impropriety of these appointments, a very large proportion of the most valuable offices in his gift have been conferred on members of the Senate and House of Representatives; and some of them on no conceivable grounds, but that of superior diligence and activity in promoting his own election.

It was warmly but most unjustly urged against the last Administration, that it abused its patronage to effect its own continuance in power : and in his inaugural address, the present chief magistrate thought proper expressly to charge his predecessor with bringing "the patronage of the federal government into conflict with the freedom of elections." In violation of his pledge to pursue an opposite course, the present chief magistrate has removed a great number of officers for no other cause, than that of having been opposed to himself ; and he has appointed very many for no other reason, but having supported him. And in addition to this, it is a fact too well known to be disputed, that at no period since the organization of the federal government has there existed even an approach toward the present systematic, intense, all-pervading operation of federal patronage on the freedom of election.

It is well known that, as it was objected to the late President, that he had not received a plurality of popular votes ; so it was charged upon him, that there was a tendency in the measures of his administration against popular principles. No facts were or could be quoted to prove such a tendency ; but the very vagueness and generality of the charge made it a convenient topic of popular declamation. In the present incumbent the people were promised that they should have a President, who would rather repel than arrogate power, and an administration conducted on purely republican principles. In his inaugural message he himself expressed the hope that he should have the "instruction," as well as "the co-operation" of the co-ordinate branches of the government. The contrast of the measures of his administration with these professions is of the most glaring and painful kind. The people have been treated with the most marked indignity, in the only way in which that can be done, in the action of the Executive Government,—we mean in the person of their representatives. The accredited organs of the press have made it one leading object to vilify the two houses of Congress ; and the most disrespectful insinuations against their members have been authentically traced to the President himself. The power of the Veto, designed for the extremest cases, a monarchical feature of the British Constitution engrafted with questionable propriety on ours, has been exercised more frequently by him in three sessions of Congress, than by all his predecessors for forty years. So far from seeking "instruc

tion" of the co-ordinate branches of the government, he has in his Veto Message on the Bank declared, that the opinion of the Judges has no more authority over Congress, than the opinion of Congress over the Judges; and that on that point, "the President is independent of both." In the same message, he assigns as one reason for rejecting the bill for re-chartering the Bank, that the Executive was "not called upon to furnish the project of such an institution."

This Convention, although they propose to themselves, in this Address, to abstain from argument, and confine themselves to facts of indisputable notoriety, cannot but pause a moment, to remark upon the doctrines just cited, at war as they are with the letter, and still more at war with the spirit of the Constitution. It is, of course, unnecessary to say, that the "opinion of Congress" has no authority at all, except as expressed in a joint rule, relative to the form of business between the two Houses. Beyond this, an "opinion of Congress," as far as legal authority goes, is a nonentity. On the contrary, the opinion of the Court, on all matters duly brought before them, is legally binding on all concerned. The Constitution provides that "*the Judicial power of the United States* shall be vested in one Supreme Court, and in such inferior Courts as the Congress may ordain and establish," and that judicial power is to be exercised through the channel of the official opinions of the Court. Those opinions bind the President and Congress, who may *change* the law, but while it is the law, may not disobey it. Any process of reasoning to show that the opinions of the Court have no binding authority over the President and Congress, would show the same of every subordinate officer and every citizen; that is, that the Court has no authority at all. This Convention believe that such a doctrine was never before avowed under any government of laws. Most assuredly, language like this was never before addressed to the American people.

The last Administration was accused of extravagance, and among the most efficient instruments in putting it down, was the far-famed *Committee of Retrenchment*. It is a notorious fact, that, except in the year 1829, for which the appropriations were made under Mr. Adams, the expenses of the government have gone on increasing every year. For 1829 they were \$12,669,490, for 1830 \$13,229,533, for 1831, \$14,777,991, and for 1832 the definite appropriations rise to

\$16,657,669, with a large amount not ascertained. So notorious was the abandonment by the friends of the Administration, when they came into power, of the principles professed by them on this point while in opposition, that the Retrenchment Committee and its report were denounced as an imposition, on the floor of Congress, at the last session, by a gentleman second to no other among the opponents of the late Administration.

Finally, a general process of reformation was vaguely promised, as among the benefits to be effected by overturning the former administration. In the inaugural message this greatly abused expression was adopted, and it was declared, that "the task of reform was inscribed by the recent demonstration of public sentiment, on the list of executive duties." How that task was performed, in reference to the only thing specified in the message, the abusive interference of the General Government in elections, we have already seen. The word was soon explained, by the executive practice, to mean *removing political opponents from office*. Although Congress was advised by the President, for grounds stated by him, to limit the duration of all offices to four years, his own among the rest; he has perceived the application of these reasons neither to his own case nor that of any of his friends; and the word "Reform," and the *thing*, which it has been made to mean, have at last become the jest and scorn of the People.

In this way have the promises, under which the present Administration came into power, been fulfilled. Nor is it less notorious, that those anticipations of danger and evil formed and expressed by the friends of the last Administration, have been more than realized.

It was foretold that *the sacred authority of law*, which forms the great practical distinction between a free government and a despotism, would cease to be the rule of the Administration. On the first question, which presented itself, that of our relations with the Indian tribes, a law substantially coeval with the government, and re-enacted in its present form thirty years ago, was avowedly disregarded by the President. In like manner, the long list of treaties, a part of the law of the land, most of which were entered into by the United States for a valuable consideration, were set at nought by the Administration,—the United States keeping the consideration, while they deprive the Indians of the benefit. Since the last

session of Congress, the President has refused to carry into effect several provisions of the law, making appropriations for internal improvements, on the ground that those appropriations are unconstitutional; and this, although contained in acts *signed by himself!* so that if the appropriations are constitutional, he violates his oath of office in not executing them; if unconstitutional, he violated that oath when he signed the bill.

It was foretold, that if he were elected, the great cause of internal improvement would be jeopardized, on which more than any thing in the physical condition of the country, the continued union of its far distant parts, depends. Although it is exceedingly difficult to extract from the Maysville road veto the precise notion which the President entertains on this subject, and although it is utterly impossible, by any artifice of metaphysics, to draw a line between several improvements which he has sanctioned, and several which he has *vetoed*; yet, it is a matter of boast among his partizans at the South, that no more roads and canals are to be made, and no more improvements of rivers attempted, during his administration.

The support to be expected from the Chief Magistrate for the domestic industry of the country was likewise matter of doubt and alarm. Since his accession to power his influence on this great interest has never been felt, but in the distraction and embarrassment of its friends. The reference in the veto message on the Bank is too obvious to be mistaken. It is there declared that, "Most of the difficulties our Government now encounters, and most of the dangers which impend over our Union, have sprung from the abandonment of the legitimate objects of government, by our National Legislation, and the adoption of such principles as are embodied in this act. Many of our rich men have not been content with equal protection and equal benefits, but have besought us to make them richer by act of Congress. By attempting to gratify their desires, we have, in the results of our legislation, arrayed section against section, interest against interest, and man against man, in a fearful commotion which threatens to shake the foundations of our Union. It is time to pause in our career, to review our principles, and, if possible, revive that devoted patriotism and spirit of compromise which distinguished the sages of the revolution, and the fathers of our Union. If we cannot at once, *in justice to interests vested under improvident legislation,*

make our Government what it ought to be, we can, at least, take a stand against all new grants of monopolies and exclusive privileges, against any prostitution of our Government to the advancement of the few at the expense of the many, and in favor of compromise and gradual reform in our code of laws and system of *political economy*." No one will deny that the "improvident legislation" here aimed at, is the series of laws passed for the protection and encouragement of manufactures. And it may be observed, that the vote of the President is recorded in favor of the tariff of 1824, the only one passed while he was a member of Congress, passed too at a period when "the interests vested" under this legislation were not yet important enough to require a majority of the New England members of Congress to vote for the law.

It was foretold that the great institutions of the country would be endangered under his administration. The continued existence of that institution which sends a sound currency to the remotest village of the Union has already encountered his veto. If he is re-elected, it is overturned.—The Treasury Bank which he has recommended in its stead, is not known to have elicited a favorable opinion from any other person in the country; and would, if carried into effect, be an engine of corruption, compared with which the scarlet venality of the old world stands abashed and pale. The Supreme Court of the United States is seriously menaced. An elaborate essay has emanated from the Cabinet against a solemn opinion of that tribunal. One of the missionaries was deprived of the place of Postmaster, notoriously to divest him of the character of an agent of the United States, and thereby to bring him within the grasp of the Georgia laws. The President has done nothing to rescue these missionaries from the cruel imprisonment to which they have been condemned by laws pronounced unconstitutional by the Supreme Court; and he permits the State of Georgia, under the same laws to seize, and parcel out by lottery, the lands of an unprotected and dependent tribe, guaranteed to them by treaty stipulations, negotiated by himself, and declared by the Court to be of unimpaired validity. Of its opinions he has declared himself, in general terms, independent. Thus far he has already gone. When we reflect on what further steps may be reasonably expected, should his administration continue in power, and on the possibility of the deeply deplored event, which may cause a va-

cancy in the place of the Chief Justice of that Court, to be filled by a successor who will carry on the war against the Constitution, within the very citadel of its strength,—this Convention wants words to express its feelings—of anxiety and apprehension.

It was predicted that if the late Administration should be prostrated, it would be succeeded by a system of personal detraction and violence, and a reign of terror. The anticipations on this subject have been more than fulfilled. The presses called into being by the patronage, or enjoying the countenance of the Government, have reached a point of ferocity and virulence before unexampled. Individual and private character is avowedly assailed as the means of political annoyance; and falsehoods the most gross and infamous are systematically fabricated and circulated against all persons who dare to raise their voices, in Congress or out of it, against the abuses of the Administration. Nor has the system of intimidation stopped here. At the last session of Congress, the most strenuous, persevering and substantially successful efforts were made by the friends of the Administration to screen from punishment the author of a violent assault upon a member of the House of Representatives. The same majority refused to take cognizance of a challenge sent to another member, for having offered a question to be proposed by the House to a witness at its bar; and on the same day on which the subject was contemptuously dismissed by the majority, an attempt was made to shoot down another member upon the steps of the Capitol. After all these acts of violence, it was still found impossible to obtain even a Committee of Inquiry into the extent of the measures of menace, violence, and bloodshed, which had been resorted to, to suppress the freedom of debate and overawe the two houses of Congress. Although these occurrences had fully demonstrated, that it was at the peril of his life that any member of Congress should boldly discharge his duty as an opponent of the Administration, not a press in its interest was heard to raise its voice against the system of menace and bloodshed. On the contrary, the acts of violence alluded to were justified, palliated, or excused.

In a word, it was predicted that the Union itself would be jeopardized in the principles and practice of the existing Administration. The fulfilment of this apprehension is but too visibly presented to us. At the time when the present Chief

Magistrate came into office, the Georgia question was at its crisis. That State had unfortunately thrown itself into unconstitutional and illegal opposition to the General Government, in the execution of the laws and treaties in favor of the Indians. But the firmness of the last Administration and the presence of two or three companies of United States troops (marched into the disturbed district at the request of Georgia) had proved amply sufficient to protect these dependent tribes. On the accession of the present Chief Magistrate, this ground was abandoned—the troops of the United States before long withdrawn, Ministers of the Gospel, sent by actual permission of the Government and partly at its expense, thrown into a felon's jail, and the right of Georgia to nullify the laws and treaties expressly admitted. Encouraged by the success of this disastrous experiment, another State has taken the field against the supremacy of the laws, and pleads the example of Georgia as the precedent and justification. It is true, that no direct countenance has been given in words by the present Administration, to the policy of South Carolina. But the late Veto Message represents it as the natural consequence of what it stigmatises as improvident legislation. The fatal and pregnant error was committed, when the State of Georgia was allowed to set the law at defiance; and this Convention has yet to learn to what good purpose theoretical nullification is countenanced in Georgia.

But without enlarging on this point, the whole tone of the Administration is against the Union. An extravagant and ill-considered declamation on State rights, belonging only to a low order of partizan prints, characterizes several of its state papers; all the institutions and principles which act as the bonds and guards of the Union have been assailed; exploded doctrines and prejudices hostile to the Union have been revived; the Bank prostrated; the Court disregarded and threatened; the Senate menaced with the reduction of its term to two years; the House of Representatives vilified; both branches set at nought by the unheard-of multiplication of Vetos; every thing, in short, attempted, which has the effect to resolve the Union into jealous and discordant elements, and by destroying all the other functions of the General Government, to concentrate its remaining powers in the hands of the Executive.

The effects of this warfare upon the principles of the Union

on the part of those whose sworn and constitutional duty it is to defend it, are but too evident in the daily growing despondency of patriotic men. The permanency of our institutions, which but a few years since was considered beyond the reach of danger, is a topic now of contemplation, as familiar as it is painful. A distressing conviction gains strength, that the Government of the country is in the hands of its enemies, and that great and indefinite but fatal changes are hanging over us.

But with all these inauspicious predictions which have been but too fully verified, it was foretold that the combinations which had brought the present Administration into power would dissolve as speedily as they had been formed ; and that the eyes of the people would eventually be opened to the delusion under which they had labored. Although no person who feels any reliance upon the intelligence and patriotism of the community could doubt that such would be the result, it must be admitted that, for a while, the prospect was gloomy of its seasonable accomplishment. But it has been brought about sooner than could have been anticipated. One entire section of the party which raised the present Chief Magistrate to the Chair, disgusted by personal grievances, of a character the most extraordinary and offensive, was soon repelled from the support of the Administration. But the changes which are to prove decisive of the election are those which have taken place and are going on in the great States of New York, Pennsylvania, and Ohio. New York was but equally divided in 1828. A small decrease of the strength then enlisted in support of the present Chief Magistrate is all that was required to turn the scale. The most extensive disaffection is known to have taken place—and that State will unquestionably be found in opposition. The vote of Ohio was given to the present incumbent in 1828, by a slender majority, and since that period she has elected a National Republican Chief Magistrate, and a large majority of members of Congress, opposed to the Administration. The understanding that has been happily effected between its opponents makes it all but certain that it will be left in a minority. The state of Pennsylvania supported Gen. Jackson by an overwhelming vote. It must be admitted that a change sufficiently extensive to produce an opposite result was scarcely to be expected. But the warfare waged upon the cause of internal improvement, the equivocal policy on the subject of manufactures, and the prostration of the Bank

have shaken the Administration to the centre. It is confidently believed that a cordial union between the opponents of the Administration in that State, will ensure its defeat. The preparatory elections amply authorize this expectation. It is unnecessary to say, that the loss of these States—of any two of them—of New York alone, is the loss of the election.

The limits of this Address do not permit the Convention to go into great detail on the subject of the election, but it is believed that the following general statements may be received with confidence :—

It is well known that in the Presidential election of 1828, notwithstanding the large majority of electoral votes by which the chief magistrate was chosen, his majority of popular votes in the aggregate, exceeded those cast for Mr. Adams in a proportion of less than $6\frac{1}{2}$ to 5. It is equally well known, that a change of less than twelve thousand votes in five States, choosing sixty electors, would have taken those States from Gen. Jackson and have given them to Mr. Adams, who, in that event, would have been re-elected by a majority of twenty-five votes. These facts are stated to correct the prevalent, but very erroneous impression, that the present Chief Magistrate was the choice of an overwhelming majority of the people. They also in like manner show how small a decrease of strength must prevent his re-election. Whether the opponents of his administration are not perfectly reasonable in saying that he has lost the confidence of the People, not in a slight but in a very great degree, may be fearlessly submitted to the decision of all candid men.

When we look at the individual States, we find every thing to gratify and encourage us. The auspicious result of the late election in Maine authorizes a confident hope that that powerful State will redeem herself from her thralldom. The people of that State, as well as of Massachusetts, have reasons, in some degree peculiar to themselves, for seeking a change in the Administration. The extraordinary manner in which the affair of the North-Eastern boundary of the Union has been conducted, has brought into jeopardy a territory nearly as large as the Commonwealth, the joint property of the two States. But the neglect of the President to sign the bill for the payment of interest on the sums of money advanced for military services, in the last war, is an act of still more astonishing usurpation. By this arbitrary act, the people of

Massachusetts and Maine are deprived of half a million of dollars, judged by the two Houses of Congress to be righteously their due ; and this without the assignment of a reason or even a pretence. When to this is added that the defeat by the votes of his friends in the House of Representatives, of the land bill, which was carried through the Senate by the extraordinary efforts and talents of Mr. Clay, has deprived the people of the two States of an annual dividend of half the above-named sum, it will be admitted that their citizens have no cause to wish the continuance of his administration. The funds of which we have been thus deprived, and partly by the individual act of the President, would have carried on a judicious system of public works and internal improvements in every part of the Commonwealth.

Should the election in Maine correspond with our anticipations, New-Hampshire will be the only State voting against Gen. Jackson in 1828, and likely to vote for him in 1832. It is a matter of painful reflection, that while it is necessary even in Tennessee to choose the electors by general ticket rather than in districts, to prevent the loss of at least one of the electoral votes, the intelligence and patriotism of this part of New-England should be mastered by the corrupting influences that have been so sedulously applied to it. Passing onward to the South, it is impossible to find another electoral vote, which the President is *sure* to obtain, till we reach Maryland, where one or two of the districts may possibly still adhere to him. The four remaining States of New-England, New-York, New-Jersey, and Delaware, a large majority of the votes in Maryland, and as we believe the vote of Pennsylvania, will be given in opposition to the incumbent.

As far as present appearances authorize an opinion, we consider it certain that the following votes will be given against Gen. Jackson, viz : Massachusetts 14, Vermont 7, Rhode Island 4, Connecticut 8, New-York 42, New-Jersey 8, Pennsylvania 30, Delaware 3, Maryland 7, Louisiana 5, Kentucky 15, Ohio 21 ; in the aggregate 164. To these we add, as highly probable, Maine 10, South Carolina 11, Indiana 9, which added to the former sum give 194 ; the whole number of votes being 288.

It is evident, then, that after all requisite allowance is made for erroneous calculations, we are still authorized to come to the conclusion that if the opponents of the Administration are

true to themselves, its doom is sealed. But it is only by union among themselves that this great and paramount object can be accomplished. Much has been done ; much is doing ; the spirit of the people is aroused ; the grievance is felt ; the peril of the country has come home to the hearts of men ; but one thing still is wanting, *cordial and effective union*. To this we beg leave most earnestly to exhort our fellow-citizens, warning them that nothing less than their undivided strength will suffice for the great work to be performed, and assuring them that with it the plague that is now wasting us may be arrested, and the country saved.

Let it not be forgotten for a moment, nor by any citizen, that since the formation of the Constitution no period so critical of its fate has existed. There is too much reason to fear that, in one event of the election, it is the last which will ever be held in these now United States ; and we cannot but exhort our fellow-citizens of the Commonwealth and the Union at large to approach the impending crisis with the spirit belonging to the occasion. We have to contend with a party lately possessing a majority in the country, organized under the most skilful political tacticians, wielding unscrupulously the entire patronage of the government, openly proposing the highest offices in the public service as the spoils of victory, inundating through the means of the post-office the remotest corners of the Union with the effusions of a press of unexampled malignity, and besieging the polls with the entire host of office-holders. Against this formidable array the friends of the constitution and of a government of laws have to contend, with no other weapons but those of truth and a zealous patriotism. We implore our countrymen of all names and parties, opposed to the Administration, to arise, unite, and carry on the great work so nobly begun. Already the strength of the Administration is crumbling in the State of Pennsylvania, whose support originally called it into being, and of New York, whose later adhesion seemed to raise it above the fear of opposition. It has been found that the mad boast that the popularity of the President will bear any thing, has betrayed those who trusted it too far. The popularity of a gallant and successful military commander (from whom the National Republicans of Massachusetts never withheld any reasonable acknowledgment) could indeed bear much ; but there is a limit to endurance. The law of the land, the independence

of both branches of the National Legislature, the Supreme Court of the United States, the currency of the country, the leading principles of public policy, the characters of its best and purest citizens, the Constitution and the Union, all of which have been assailed, trampled upon, or menaced, are too costly a sacrifice to be offered up to any man. The Convention rejoice in the belief that the time has not yet come in the United States when any man's popularity will bear this. Too much has been exacted of the supporters of the Administration. The extraordinary spectacle has been exhibited of a President nominally retaining the confidence of a majority of the People and of their representatives, but complaining, through his recognized organ, that not one of his measures can obtain the sanction of Congress. But at last the delusion is broken. Press after press, district after district, State after State, of those once devoted to him, is giving way; a tremendous reaction has taken place; and it is at this time a matter of serious doubt whether there is a single individual in the United States, unbiassed by the possession or the expectation of office or emolument, and whose judgment is entitled to respect, who will say that the present Administration can be continued with safety to the country.

But the last struggle will no doubt be severe. It is one of life or death to those who subsist on the spoils of victory. The opponents of the Administration have strength enough to overturn it, but none to waste on mutual dissensions or a warfare with each other. Considerate and reflecting men must come forward, and let their voices be heard. Hasty and indiscreet partizans of no denomination must be permitted to sow discord between the forces united in this patriotic warfare. The last hope of the Administration is in our divisions. Bereft of strength in itself, it now relies on the weakness of the separate sections of those opposed to it. It strives to excite dissensions among them, and exasperate them against each other. But it strives in vain, and the Convention trust that they speak the voice of their constituents when they proclaim it as their own sentiment, that not one vote in opposition to the present Administration shall be thrown away.

In discharging the duty devolved upon them of nominating a list of Electors, the Convention present to the good People of the Commonwealth the names of fourteen citizens, believed to be devoted, on patriotic principle, to the election of

Henry Clay and John Sergeant, as President and Vice President of the United States. The Convention does not deem it necessary to enlarge upon the merits of these distinguished individuals, already adopted as their candidates by the people of the Commonwealth, by whom we are ourselves delegated, and by the National Republican Convention assembled at Baltimore. In Mr. Clay the people of the United States behold a statesman of the most distinguished talents, of long and various experience in the public service, and of the most devoted and generous patriotism. In early youth and in maturer years, as a citizen and as a representative, at home and abroad, in peace and in war, in the chair of the House of Representatives, in a most important diplomatic capacity, in the cabinet and in the Senate, he has been the strenuous, indefatigable, eloquent and triumphant supporter of those principles of government and policy on which the union of the States and prosperity of the People depend. Mr. Sergeant is eminent among the first jurists and statesmen of the country. His professional respectability, and public services both at home and abroad, are such as to entitle him to the support of the People of the United States for the high station to which he has been nominated by the National Republican party.

The entire political lives of these distinguished statesmen are a guaranty to the country that, beneath their auspices, the reign of violence, of arbitrary discretion, of secret influence and peremptory dictation will pass away, and that of civil rule will return. Under their Administration, the people of the United States will enjoy, what they are now deprived of,—the benefit of a *government of law*. The directory of the Administration will be sought in the statute book, and the other constitutional depositaries of the law, and not in a private executive construction. Offices, whose uncorrupt discharge is essential to the welfare of the people, will no longer be regarded as spoils of victory. Appointments repeatedly negatived by the constitutional advisers of the President will not be renewed, by his sole will, the moment that the Senate adjourns. The execution of laws will not be suspended on the pretence of their unconstitutionality. The countenance of the Administration will not be extended to an unprincipled press, nor offices of trust and emolument bestowed as the reward of the slanderer. The patronage of the Government will not yet be exerted to defeat the will of the People. The great domestic

interests of the country will be upheld, by a steady, unequivocal support. Its industry will be spared the shock of a disordered currency. The faith of treaties will be kept sacred; and the honor of the United States be sustained in their intercourse with foreign governments; and the union of the States, the precious legacy we have inherited from our fathers, will be preserved unimpaired for our children.

These are the objects for which we contend. If we succeed in the noble effort, we shall enjoy the satisfaction of having contributed to rescue our beloved country in the hour of her dearest peril.

If we are destined to fail and it is appointed by an all-wise Providence, that our country shall be abandoned to a continuance of that misrule, which has brought it to the verge of ruin, we shall have the consolation that we, at least, were not wanting to our duty. The interests at stake are beyond all power of description. Mighty battles of nations arrayed against each other, may be lost or won, with no other effect than to decide by what name of tyranny both shall be oppressed. But if in the great civil warfare now waged, the friends of the country are defeated; if, by the divisions of those who march beneath it, the banner of the Constitution is cloven down, the cause of liberty protected by law is sacrificed for all nations, and for all time. The crisis is fearful, the danger impending, the responsibility tremendous; and this Convention calls upon every man, as he loves his country, to come forward and do his duty.

NATHANIEL SILSBEE, *President.*

GEORGE BLAKE,	} <i>Vice Pres'ts.</i>
JOSEPH LYMAN,	
AARON TUFTS,	
CORNELIUS GRINNELL,	

THOMAS KINNICUTT,	} <i>Secretaries.</i>
WM. PORTER, JR.	
CHARLES BUNKER,	

MR. WEBSTER'S SPEECH.

MR. PRESIDENT,—I offer no apology for addressing the meeting. Holding, by the favor of the people of this Commonwealth, an important public situation, I deem it no less than a part of my duty, at this interesting moment, to make my own opinions on the state of public affairs known ; and, however I may have performed other duties, this, at least, it is my purpose, on the present occasion, fully to discharge. Not intending to comment, at length, on all the subjects which now attract public attention, nor to discuss any thing, in detail, I wish, nevertheless, before an assembly so large and respectable as the present, and through them to the whole people of the State, to lay open, without reserve, my own sentiments, hopes, and fears, respecting the state, and the fate, of our common country.

The Resolutions which have been read from the Chair express the opinion that the public good requires an effectual change in the administration of the General Government, both of measures, and of men. In this opinion, I heartily concur.

Mr. President,—there is no citizen of the State, who, in principle and by habitual sentiment, is less disposed than myself to general opposition to Government ; or less desirous of frequent changes in its administration. I entertain this feeling strongly, and at all times, towards the Government of the United States ; because I have ever regarded the Federal Constitution as a frame of Government so peculiar, and so delicate in its relations to the State Governments, that it might be in danger of overthrow, as well from an indiscriminate and wanton opposi-

tion, as from a weak or a wicked Administration. But a case may arise, in which the Government is no longer safe, in the hands to which it has been entrusted. It may come to be a question, not so much in what particular manner, or according to what particular political opinions, the Government shall be administered, as whether the Constitution itself shall be preserved and maintained. Now, sir, in my judgment, just such a case, and just such a question, are at this moment before the American People. Entertaining this sentiment, and thoroughly and entirely convinced of its truth, I wish, as far as my humble power extends, to awaken the People to a more earnest attention to their public concerns. With the People, and the People alone, lies any remedy for the past, and any security for the future. No delegated power is equal to the exigency of the present crisis. No public servants, however able or faithful, have ability to check, or to stop the fearful tendency of things. It is a case for sovereign interposition. The rescue, if it come at all, must come from that power, which no other on earth can resist. I earnestly wish, therefore, unimportant as my own opinions may be, and entitled, as I know they are, to no considerable regard, yet, since they are honest and sincere, and since they respect nothing less than dangers which appear to me to threaten the Government and Constitution of the country, I fervently wish, that I could now make them known, not only to this meeting, and to this State, but to every man in the Union. I take the hazard of the reputation of an alarmist ; I cheerfully submit to the imputation of over-excited apprehensions ; I discard all fear of the cry of false prophecy, and I declare, that, in my judgment, not only the great interests of the country, but the Constitution itself is in imminent peril, and that nothing can save, either the one or the other, but that voice, which has authority to say, to the evils of misrule and misgovernment, Hitherto shall ye come, but no farther.

It is true, sir, that it is the natural effect of a good constitution to protect the people. But who shall protect the Constitution ? Who shall guard the guardian ? What arm but the mighty arm of the People itself, is able, in a popular government, to uphold public institutions ? The Constitution itself is but the creature of the public will, and in every crisis which threatens it, it must owe its security to the same power to which it owes its origin.

The appeal, therefore, is to the People. Not to party, nor to partizans ; not to professed politicians ; not to those who have an interest in office and place, greater than their stake in the country ; but to the People, and the whole People ; to those, who, in regard to political affairs, have no wish but for a good government, and who have power to accomplish their own wishes.

Mr. President,—are the principles and leading measures of the Administration hostile to the great interests of the country ?

Are they dangerous to the Constitution, and to the Union of the States ?

Is there any prospect of a beneficial change of principles and measures, without a change of men ?

Is there reasonable ground to hope for such a change of men ?

On these several questions, I desire to state my own convictions, fully, though as briefly as possible.

As government is intended to be a practical institution, if it be wisely formed, the first and most natural test of its administration is the effect produced by it. Let us look, then, to the actual state of our affairs. Is it such as should follow a good administration of a good Constitution ?

Sir, we see one State openly threatening to arrest the execution of the revenue laws of the Union, by acts of her own. This proceeding is threatened, not by irresponsible persons, but by those who fill her chief places of power and trust.

In another State, free citizens of the country are imprisoned, and held in prison, in defiance of a judgment of the Supreme Court, pronounced for their deliverance. Immured in a dungeon, marked and patched as subjects of penitentiary punishment, these free citizens pass their days in counting the slow revolving hours of their miserable captivity, and their nights in feverish and delusive dreams of their own homes and their own families ; while the Constitution stands, adjudged to be violated, a law of Congress is effectually repealed by the act of a State, and a judgment of deliverance, by the Supreme Court, is set at nought and contemned.

Treaties, importing the most solemn and sacred obligations, are denied to have binding force.

A feeling, that there is great insecurity for property, and the stability of the means of living, extensively prevails.

The whole subject of the Tariff, acted on for the moment, is, at the same moment, declared, not to be at rest, but liable to be again moved, and with greater effect, just so soon as power for that purpose shall be obtained.

The currency of the country, hitherto safe, sound, and universally satisfactory, is threatened with a violent change, and an embarrassment in pecuniary affairs, equally distressing and unnecessary, hangs over all the trading and active classes of society.

A long-used, and long-approved Legislative Instrument for the collection of revenue, well secured against abuse, and always responsible to Congress and to the laws, is denied further existence ; and its place is proposed to be supplied by a new branch of the Executive Department, with a money power, controlled and conducted solely by Executive agency.

The power of the VETO is exercised, not as an extraordinary, but as an ordinary power ; as a common mode of defeating Acts of Congress, not acceptable to the Executive. We hear, one day, that the President needs the advice of no Cabinet ; that a few Secretaries, or Clerks, are enough for him. The next, we are informed, that the Supreme Court is but an obstacle to the popular will, and the whole judicial department but an incumbrance to Government. And while, on one side, the judicial power is thus derided and denounced, on the other arises the cry, "cut down the Senate" ; and over the whole, at the same time, prevails the loud avowal, shouted with all the lungs of conscious party strength, and party triumph, that the spoils of the enemy belong to the victors. This condition of things, sir, this general and obvious aspect of affairs, is the result of three years' administration, such as the country has experienced.

But not resting on this general view of results, let me inquire what the principles and policy of the Administration are, on the leading interests of the country, subordinate to the Constitution itself. And first, what are its principles, and what its policy, respecting the Tariff? Is this great question settled, or unsettled? And is the present Administration for, or against, the Tariff?

Sir, the question is wholly unsettled, and the principles of the Administration, according to its most recent avowal of those principles, are adverse to the protecting policy, decidedly hostile to the whole system, root and branch ; and this on permanent and alleged constitutional grounds.

In the first place, nothing has been done to settle the Tariff question. The Anti-Tariff gentlemen who voted for the late law have, none of them, said they would adhere to it. On the contrary, they supported it, because, as far as it went, it was reduction, and that was what they wished ; and if they obtained this degree of reduction now, it would be easier to obtain a greater degree hereafter ; and they frankly declared that their intent and purpose was to insist on reduction, and to pursue reduction, unremittingly, till all duties on imports should be brought down to one general and equal *per centage*, and that regulated by the mere wants of the revenue ; or that if different rates of duty should remain on different articles, still, that the whole should be laid for revenue, and revenue only ; and that they would, to the utmost of their power, push this course, till Protection, by duties, as a special object of National policy, should be abandoned, altogether, in the National Councils. It is a delusion, therefore, sir, to imagine that the present Tariff stands, safely, on conceded ground. It covers not an inch, that has not been fought for, and must not be again fought for. It stands, while its friends can protect it ; and not an hour longer.

In the next place, in that compend of Executive opinions, the VETO Message, the whole principle of the protecting policy is plainly and pointedly denounced.

Having gone through its argument against the Bank Charter, as it now exists, and as it has existed, either under the present or a former law, for near forty years, and having added to the well-doubted logic of that argument the still more doubtful aid of a large array of opprobrious epithets, the Message, in unveiled allusion to the protecting policy of the country, holds this language :—

“ Most of the difficulties our Government now encounters, and most of the dangers which impend over our Union, have sprung from an abandonment of the legitimate objects of Government by our National legislation, and the adoption of such principles as are embodied in this act. Many of our rich men have not been content with equal protection and equal benefits, but have besought us to make them richer by act of Congress. By attempting to gratify their desires, we have, in the results of our legislation, arrayed section against section, interest against interest, and man against man, in a fearful commotion which threatens to shake the foundations of our Union. It is time to pause in our career, to review our principles, and, if possible, revive that devoted patriotism and spirit of comprom-

ise which distinguished the sages of the revolution, and the fathers of our Union. If we cannot at once, in justice to interests vested under improvident legislation, make our Government what it ought to be, we can at least take a stand against all new grants of monopolies and exclusive privileges, against any prostitution of our Government to the advancement of the few at the expense of the many, and in favor of compromise and gradual reform in our code of laws and system of political economy."

Here, then, we have the whole creed. Our National Legislature has abandoned the legitimate objects of Government. It has adopted such principles as are embodied in the Bank Charter, and these principles are elsewhere called objectionable, odious, and unconstitutional. And all this has been done because rich men have besought the Government to render them richer, by acts of Congress. It is time to pause in our career. It is time *to review these principles*. And, if we cannot, at once, **MAKE OUR GOVERNMENT WHAT IT OUGHT TO BE**, we can, at least, take a stand against new grants of power and privilege.

The plain meaning of all this, is, that our protecting laws are founded in an abandonment of the legitimate objects of government; that this is the great source of our difficulties; that it is time to stop in our career, to review the principles of these laws, and as soon as we can, **MAKE OUR GOVERNMENT WHAT IT OUGHT TO BE**.

No one can question, Mr. President, that these paragraphs, from the last official publication of the President, show, that *in his opinion, the Tariff, as a system designed for protection, is not only impolitic, but unconstitutional also*. They are quite incapable of any other version, or interpretation. They defy all explanation, and all glosses.

Sir, however we may differ from the principles or the policy of the Administration, it would, nevertheless, somewhat satisfy our pride of country, if we could ascribe to it the character of consistency. It would be grateful if we could contemplate the President of the United States as an identical idea. But even this secondary pleasure is denied to us. In looking to the published records of executive opinions, sentiments favorable to protection, and sentiments against protection, either come confusedly before us, at the same moment, or else follow each other in rapid succession, like the shadows of a phantasmagoria.

Having read an extract from the Veto Message, containing the statement of *present opinions*, allow me to read another

extract from the annual Message of 1830. It will be perceived, that in that Message, both the clear constitutionality of the Tariff laws, and their indispensable policy are maintained in the fullest and strongest manner. The argument, on the constitutional point, is stated with more than common ability ; and the policy of the laws is affirmed, in terms importing the deepest and most settled conviction. We hear in this Message nothing of improvident legislation ; nothing of the abandonment of the legitimate objects of Government ; nothing of the necessity of pausing in our career, and reviewing our principles ; nothing of the necessity of changing our Government, *till it shall be made what it ought to be.*—But let the Message speak for itself.

“ The power to impose duties on imports originally belonged to the several States. The right to adjust those duties with a view to the encouragement of domestic branches of industry is so completely incidental to that power, that it is difficult to suppose the existence of the one without the other. The States have delegated their whole authority over imports to the General Government, without limitation or restriction, saving the very inconsiderable reservation relating to their inspection laws. This authority having thus entirely passed from the States, the right to exercise it for the purpose of protection does not exist in them ; and, consequently, if it be not possessed by the General Government, it must be extinct. Our political system would thus present the anomaly of a people stripped of the right to foster their own industry, and to counteract the most selfish and destructive policy which might be adopted by foreign nations. This surely cannot be the case: this indispensable power, thus surrendered by the States, must be within the scope of the authority on the subject expressly delegated to Congress.

“ In this conclusion, I am confirmed as well by the opinions of Presidents Washington, Jefferson, Madison, and Monroe, who have each repeatedly recommended the exercise of this right under the Constitution, as by the uniform practice of Congress, the continued acquiescence of the States, and the general understanding of the people.”

“ I am well aware that this is a subject of so much delicacy, on account of the extended interests it involves, as to require that it should be touched with the utmost caution ; and that, while an abandonment of the policy in which it originated—a policy coeval with our Government, pursued through successive administrations, is neither to be expected or desired, the

people have a right to demand, and have demanded, that it be so modified as to correct abuses and obviate injustice."

Mr. President,—no one needs to point out inconsistencies, plain and striking like these. The Message of 1830 is a well written paper ; it proceeded, probably, from the Cabinet proper. Whence the Veto Message of 1832 proceeded, I know not ; perhaps from the Cabinet improper.

But, sir, there is an important record of an earlier date than 1830. If, as the President avers, we have been guilty of improvident legislation, what act of Congress is the most striking instance of that improvidence ?—Certainly, it is the act of 1824. The principle of protection, repeatedly recognized before that time, was, by that act, carried to a new and great extent ; so new, and so great, that the act was considered as the foundation of the system. That law it was, which conferred on the distinguished citizen, whose nomination for President this meeting has received with so much enthusiasm, the appellation of "Author of the American System." Accordingly, the act of 1824 has been the particular object of attack, in all the warfare waged against the protective policy. If Congress ever abandoned legitimate objects of legislation, in favor of protection, it did it by that law. If any laws, now on the statute book, or which ever were there, show, by their character, as laws of protection, that our Government is not what it ought to be, and that it ought to be altered, and, in the language of the Veto Message, *made* what it ought to be, the law of 1824 is the very law, which more than any, and more than all others, shows that. And yet, sir, the President of the United States, then a Senator in Congress, voted for that law ! And, though I have not recurred to the journal, my recollection is, that as to some of its provisions, his support was essential to their success. It will be found, I think, that some of its enactments, and those now most loudly complained of, would have failed, but for his own personal support of them, by his own vote.

After all this, it might have been hoped, that there would be, in 1832, some tolerance of opinion toward those, who cannot think, that improvidence, abandonment of all the legitimate objects of legislation, a desire to gratify the rich, who have besought Congress to make them still richer, and the adoption of principles, unequal, oppressive, and odious, are the true characteristics to be ascribed to the system of protection.

But, sir, it is but a small part of my object to show inconsistencies in Executive opinions. My main purpose is different, and tends to more practical ends. It is, to call the attention of the meeting, and of the People, to the principles, avowed in the late Message, as being the President's *present opinions*, and proofs of *his present purposes*, and to the consequences, if they shall be maintained by the country. These principles are there expressed, in language which needs no commentary. They go, with a *point blank aim*, against the fundamental stone of the Protecting System ; that is to say, against the constitutional power of Congress to establish and maintain it, in whole or in part. The question, therefore, of the Tariff—the question of every Tariff—the question between maintaining our agricultural and manufacturing interests where they now are, and breaking up the entire system, and erasing every vestige of it from the statute book, is a question materially to be affected by the pending election.

The President has exercised his NEGATIVE power, on the law for continuing the Bank Charter. Here, too, he denies both the constitutionality and the policy of an existing law of Congress. It is true, that the law, or a similar one, has been in operation near forty years. Previous Presidents and previous Congresses have, all along, sanctioned and upheld it. The highest Courts, and, indeed, all the Courts, have pronounced it constitutional. A majority of the people, greater than exists on almost any other question, agrees with all the Presidents, all the Congresses, and all the Courts of law. Yet, against all this weight of authority, the President puts forth his own individual opinion, and has negatived the Bill for continuing the law. Which of the members of his administration, or whether any one of them, concurs in his sentiments, we know not. Some of them, we know, have recently advanced precisely the opposite opinions, and in the strongest manner recommended to Congress the continuation of the Bank Charter. Having, himself, urgently and repeatedly called the attention of Congress to the subject, and his Secretary of the Treasury, who, and all the other Secretaries, as the President's friends say, are but so many pens in his hand, having, at the very session, insisted, in his communication to Congress, both on the constitutionality and necessity of the Bank, the President, nevertheless, saw fit to negative the Bill, passed, as it had been, by strong majorities in both Houses, and passed, without doubt or

question, in compliance with the wishes of a vast majority of the American People.

The question respecting the constitutional power of Congress to establish a Bank, I shall not here discuss. On that, as well as on the general expediency of renewing the Charter, my sentiments have been elsewhere expressed. They are before the public ; and the experience of every day confirms me in their truth. All that has been said of the embarrassment and distress, which will be felt from discontinuing the Bank, falls far short of an adequate representation. What was prophecy only two months ago, is already history.

In this part of the country, indeed, we experience this distress and embarrassment only in a mitigated degree. The loans of the Bank are not so highly important, or at least not so absolutely necessary, to the present operations of our commerce ; yet we ourselves have a deep interest in the subject, as it is connected with the general currency of the country, and with the cheapness and facility of exchange.

The country, generally speaking, was well satisfied with the Bank. Why not let it alone ? No evil had been felt from it in thirty-six years. Why conjure up a troop of fancied mischiefs, as a pretence to put it down ? The Message struggles to excite prejudices, from the circumstance that foreigners are stockholders, and on this ground it raises a loud cry against a monied aristocracy. Can any thing, sir, be conceived, more inconsistent than this ? Any thing more remote from sound policy, and good statesmanship ? In the United States, the rate of interest is high, compared with the rates abroad. In Holland and England, the actual value of money is no more than three, or perhaps three and a half, per cent. In our Atlantic States it is as high as five or six, taking the whole length of the sea board ; in the Northwestern States, it is eight or ten, and in the Southwestern ten or twelve. If the introduction, then, of foreign capital be discountenanced and discouraged, the American money lender may fix his own rate, any where from five to twelve per cent. per annum. On the other hand, if the introduction of foreign capital be countenanced, and encouraged, its effect is to keep down the rate of interest, and to bring the value of money in the United States so much the nearer to its value in older and richer countries. Every dollar brought from abroad, and put into the mass of active capital at home, by so much diminishes the rate of interest ; and by so much,

therefore, benefits all the active and trading classes of society, at the expense of the American capitalist. Yet the President's invention, for such it deserves to be called,—that which is to secure us against the possibility of being oppressed by a monied aristocracy is, to shut the door and bar it safely against all introduction of foreign capital !

Mr. President,—what is it, that has made England a sort of general banker for the civilized world ? Why is it, that capital, from all quarters of the globe, accumulates at the centre of her empire, and is thence again distributed ? Doubtless, sir, it is because she invites it, and solicits it. She sees the advantage of this. She manifests no weak or pretended jealousy of foreign influence by reason of the freest intercourse with the commercial world ; and no British minister ever yet did a thing so rash, so inconsiderate, so startling, as to exhibit a groundless feeling of dissatisfaction at the introduction or employment of foreign capital.

Sir, of all the classes of society, the larger stockholders of the Bank are among those least likely to suffer from its discontinuance. There are, indeed, on the list of stockholders, many charitable institutions, many widows and orphans, holding small amounts. To these and other proprietors of a like character, the breaking up of the Bank will, no doubt, be seriously inconvenient. But the capitalist, he who has invested money in the Bank, merely for the sake of the security, and the interest, has nothing to fear. The refusal to renew the charter will, it is true, diminish the value of the stock ; but then, the same refusal will create a scarcity for money ; and this, in time, will reduce the price of all other stocks ; so that the stockholders in the Bank, receiving, on its dissolution, their portion respectively of its capital, will have opportunities of new and cheap investment.

The truth is, sir, the great loss, the sore embarrassment, the severe distress, arising from this VETO, will fall on the public, and especially on the more active and industrious portion of the public. It will inevitably create a scarcity for money ; in the Western States it will most materially depress the value of property ; it will greatly enhance, every where, the price of domestic exchange ; it threatens, every where, fluctuations of the currency ; and it drives all our well settled and safe operations of revenue and finance out of their accustomed channels. And all this, on the pretended ground of a constitutional

scruple, which no respect for the opinions of others, no deference to legislative precedent, no decent regard to judicial decision, no homage to public opinion, expressed and maintained for forty years, have power to overcome. An idle apprehension of danger is set up against the experience of almost half a century; loose and flimsy theories are asserted, against facts of general notoriety; and arguments are urged against continuing the charter, so superficial and frivolous, and yet so evidently addressed to those of the community who have never had occasion to be conversant with subjects of this sort, that an intelligent reader, who wishes to avoid imputing obliquity of motive, is obliged to content himself with ascribing to the origin of the Message—whatever and wherever that origin may have been—no very distinguished share of the endowments of intellect.

Mr. President,—as early as December, 1829, the President called the attention of Congress to the subject of the Bank, in the most earnest manner. Look to his annual message of that date. You will find that he then felt constrained, by an irresistible sense of duty to the various interests concerned, not to delay, beyond that moment, his urgent invitation to Congress to take up the subject. He brought forward the same topic again, in all his subsequent annual messages; yet, when Congress *did* act upon it, and on the fourth of July, EIGHTEEN HUNDRED AND THIRTY-TWO, *did* send him a bill, he returned it with his objections, and among these objections he not only complained *that the Executive was not consulted on the propriety of present action*, but affirmed also, in so many words, *that present action was deemed premature by the Executive Department*.

Let me ask, Mr. President, if it be possible that the same President, the same Chief Magistrate, the same mind, could have composed these two Messages? Certainly they much more resemble the production of *two* minds, holding on this point precisely opposite opinions. The Message of December, 1829, asserts that the time had *then* come for Congress to consider the Bank subject; the Message of 1832 declares, that, even then, the action of Congress on the same subject was *premature*; and both these Messages were sent to Congress by the President of the United States. Sir, I leave these two messages to be compared, and considered, by the people of the United States.

Mr. President,—I will here take notice of but one other suggestion of the President, relative to the time and manner of passing the late bill. A decent respect for the Legislature of the country has hitherto been observed by all who have had occasion to hold official intercourse with it, and especially by all other branches of the Government. The purity of the motives of Congress, in regard to any measure, has never been assailed, from any respectable quarter. But in the Veto Message there is one expression, which, as it seems to me, no American can read without some feeling. There is an expression, evidently not casual or accidental, but inserted with design, and composed with care, which does carry a direct imputation of the possibility of the effect of *private interest*, and *private influence*, on the deliberations of the two Houses of Congress. I quote the passage, and shall leave it without a single remark: “Whatever interest or influence, whether public or private, has given birth to this act, it cannot be found either in the wishes or necessities of the Executive Department, by which present action is deemed premature.”

Among the great interests of the country, Mr. President, there is one, which appears to me not to have attracted, from the people of this Commonwealth, a degree of attention, altogether equal to its magnitude.

I mean the Public Lands. If we run our eye over the map of the country, and view the regions, almost boundless, which now constitute the public domain, and over which an active population is rapidly spreading itself, and if we recollect the amount of annual revenue derived from this source, we shall hardly fail to be convinced that few branches of national interest are of more extensive and lasting importance. So large a territory, belonging to the public, forms a subject of national concern of a very delicate nature, especially in popular governments. We know, in the history of other countries, with what views designing men have granted the public lands.

Either in the forms of gifts and largesses, or in that of reduction of prices, to amounts merely nominal, or as compensation for services, real or imagined, the public domain, in other countries, and other times, has not only been diverted from its just use and destination, but has been the occasion also of introducing into the State, and into the public councils, no small portion, both of distraction and corruption. Happily, our own system of administering this great interest has hitherto

been both safe and successful. Nothing under the government has been better devised than our land system ; and nothing, thus far, more beneficially conducted. But the time seems to have arrived, in the progress of our growth and prosperity, when it has become necessary to reflect, not on any new mode of sale, for that can hardly be improved, but on some disposition of the proceeds, such as shall be just and equal to the whole country, and shall insure also a constant and vigilant attention to this delicate and important subject from the people of all the States. It is not to be denied or disguised, that sentiments have recently sprung up, in some places, of a very extraordinary character, respecting the ownership, the just proprietary interest, in these lands. The lands are well known to have been obtained by the United States, either by grants from individual States, or by treaties with foreign powers. In both cases, and in all cases, the grants and cessions were to the United States, for the interest of the whole Union ; and the grants from individual States, contain express limitations and conditions, binding up the whole property to the common use of all the States forever. Yet of late years, an idea has been suggested, indeed seriously advanced, *that these lands, of right, belong to the States respectively, in which they happen to lie.* This doctrine, sir, which, I perceive, strikes this assembly as being somewhat extravagant, is founded on an argument derived from the nature of State sovereignty. It has been openly espoused, by candidates for office, in some of the new States, and, indeed, has been announced in the Senate. To the credit of the country, it should be stated, that up to the present moment these notions have not spread widely, and they will be dispersed, undoubtedly, by the power of general opinion, so soon as that opinion shall be awakened and expressed. But there is another tendency more likely, perhaps, to run to injurious excess ; and that is, a constant effort to reduce the price of land to sums almost nominal, on the ground of facilitating settlement. The sound policy of the government has been, uniformly, to keep the prices of the public lands low ; so low, that every actual settler might easily obtain a farm ; but yet, not so low, as to tempt individual capitalists to buy up large quantities, to hold for speculation. The object has been to meet, at all times, the whole actual demand, at a cheap rate ; and this object has been obtained. And it is obviously of the greatest importance to keep the

prices of the public lands from all influences, except the single one of supplying the whole actual demand, at a cheap rate. The present minimum price is one dollar and a quarter per acre ; and millions of acres, much of it of an excellent quality, are now in the market at this rate. Yet, every year, there are propositions to reduce the price ; and propositions to graduate the price ; that is to say, to provide that all lands, having been offered for sale, for a certain length of time, at the established rate, if not then sold, shall be offered at a less rate ; and again reduced, if not sold, to one still less. I have myself thought, that in some of the older districts, some mode might usefully be adopted of disposing of the remainder of the unsold lands, and closing the offices ; but a universal system of graduation, lowering prices at short intervals, and by large degrees, could have no other effect than a general depression of price in regard to the whole mass, and would evidently be great mismanagement of the public property. The meeting, sir, will think it singular enough, that a reduction of prices of the public lands should have been demanded, on the ground *that other impositions for revenue, such as the duty on tea and coffee, have been removed* ; thus considering and treating the sums received for lands sold, as a *tax*, a *burden*, an *imposition*, and a great *drain* on the means and the industry of the new States. A man goes from New-England, to one of the Western States, buys a hundred acres of the best land in the world for one hundred and twenty-five dollars, pays his money, and receives an indisputable title ; and immediately, some one stands up in Congress to call this operation the laying of a *tax*, the imposition of a *burden*, and the whole of these purchases and payments, taken together, are represented as an intolerable *drain* on the money and the industry of the new States. I know not, sir, which deserves to pass for the original, and which for the copy ; but this reasoning is not unlike that, which maintains that the trading community of the West will be exhausted and ruined, by the privilege of borrowing money of the Bank of the United States, at six per cent. interest ; this interest, being, as is said in the Veto Message, a burden upon their industry, and a drain of their currency, which no country can bear, without inconvenience, and distress.

It was in a forced connexion with the reduction of duties of impost, that the subject of the public lands was referred to the

Committee of Manufactures in the Senate, at the late session of Congress. This was a legislative movement, calculated to throw on Mr. Clay, who was taking a leading part on the subject of the Tariff, and the reduction of duties, a new and delicate responsibility. From this responsibility, however, Mr. Clay did not shrink. He took up the subject, and his report upon it, and his speech delivered afterwards, in defence of the Report, are, in my opinion, among the very ablest of the efforts which have distinguished his long public life. I desire to commend their perusal to every citizen of Massachusetts. They will shew him the deep interest of all the States, his own among the rest, in the security, and proper management and disposal of the public domain. Founded on the Report of the Committee, Mr. Clay introduced a Bill, providing for the distribution, among all the States, according to numbers, of the proceeds of the sales of the public lands, for five years; first making a deduction of a considerable percentage in favor of the new States; the sums thus received by the States to be disposed of by themselves, in favor of Education, Internal Improvement, or Colonization, as each State might choose for itself. This Bill passed the Senate. It was vigorously opposed in the House of Representatives, by the main body of the friends of the Administration, and finally lost by a small majority. By the provisions of the Bill, Massachusetts would have received, as her dividend, one hundred and thirty-seven thousand dollars a year.

I am free to confess, sir, that I had hoped to see some unobjectionable way of disposing of this subject, with the observance of justice towards all the States, by the Government of the United States itself, without a distribution, through the intervention of the State Governments. Such way, however, I have not discovered. I therefore voted for the bill of the last session.

Mr. President,—let me remind the meeting of the great extent of this public property.

Only twenty millions of acres have been, as yet, sold, from the commencement of the Government. One hundred and twenty millions, or about that quantity, are now cleared from the Indian title, all surveyed into townships, ranges, and sections, and now in the market for sale. I think, sir, the whole surface of Massachusetts embraces about six millions of acres; so that the United States have a body of land, now surveyed, and

in market, equal to twenty States, each of the size of Massachusetts. But this is but a very small portion of the whole domain; much the greater part being yet unsurveyed, and much, too, subject to the original Indian title. The income to the revenue from the sales of land is estimated at three millions of dollars a year. The meeting will thus see, sir, how important a subject this is, and how highly it becomes the country to guard this vast property against perversion, and bad management.

Mr. President,—among the Bills which failed, at the last session, for want of the President's approval, was one, in which this State had a great pecuniary interest. It was the bill for the payment of interest to the States, on the funds advanced by them during the war, the principal of which had been paid, or assumed, by the Government of the United States. Some sessions ago, a Bill was introduced into the Senate, by my worthy colleague, and passed into a law, for paying a large part of the principal sum, advanced by Massachusetts, for militia expenses, for defence of the country. This has been paid. The residue of the claim is in the proper course of examination, and such parts of it as ought to be allowed will doubtless be paid hereafter, *Vetos* out of the way, be it always understood: In the late Bill it was proposed that *interest* should be paid to the States, on these advances, in cases where it had not been already paid. It passed both Houses. I recollect no opposition to it in the Senate, nor do I remember to have heard of any considerable objection in the House of Representatives. The argument for it lay in its own obvious justice; a justice too apparent, as it seems to me, to be denied by any one. I left Congress, sir, a day or two before its adjournment, and meeting some friends, in this village, on my way home, we exchanged congratulations on this additional act of justice, thus rendered to Massachusetts, as well as other States. But I had hardly reached Framingham, before I learned that our congratulations were premature. The President's signature had been refused, and the Bill was not a law! The only reason which I have ever heard for this refusal, is, that Congress had not been in the practice of allowing interest on claims. This was not true, as a universal rule; but if it were, might not Congress be trusted with the maintenance of its own rules? Might it not make exceptions to them, for good cause? No doubt, in regard to old and long neglected claims, it has

been customary not to allow interest; but the Massachusetts claim was not of this character, nor the claims of other States. None of them had remained unpaid, for want of presentment. The Executive and Legislature of this Commonwealth had never omitted to press her demand for justice, and her Delegates in Congress have endeavored to discharge their duty by supporting that demand. It has been already decided, in repeated instances, as well in regard to States as to individuals, that when money has been actually *borrowed*, for objects for which the General Government ought to provide, interest paid on such *borrowed money*, shall be refunded by the United States. Now, Sir, would it not be a distinction without a difference to allow interest in such a case, and yet refuse it in another, in which the State had not borrowed the money, and paid interest for it, but had raised it by taxation, or, as I believe was the case with Massachusetts, by the sale of valuable stocks, *bearing interest*? Is it not apparent, that in her case, as clearly as in that of a *borrowing* State, she has actually *lost* the interest? Can any man maintain that, between these two cases, there is any sound distinction, in law, in equity, or in morals? The refusal to sign this bill has deprived Massachusetts and Maine of a very large sum of money, justly due to them. It is now fifteen or sixteen years since the money was advanced, and it was advanced for the most necessary and praiseworthy public purposes. The interest on the sum already refunded, and on that which may reasonably be expected to be hereafter refunded, is not less than *five hundred thousand dollars*. But for the President's refusal, in this unusual mode, to give his approbation to a bill which had passed Congress almost unanimously, these two States would already have been in the receipt of a very considerable portion of this money; and made sure of the residue in due season.

Mr. President,—I do not desire to raise mere pecuniary interests to an undue importance, in political matters. I admit, there are principles and objects of paramount obligation and importance. I would not oppose the President, merely because he has refused to the State what I thought her entitled to, in a matter of money, provided he had made known his reasons, and they had appeared to be such as might fairly influence an intelligent and honest mind. But where a State has so direct and so heavy an interest, where the justice of the case is so plain, that men agree in it who agree in hardly any thing else,

where her claim has passed Congress, without considerable opposition in either House, a refusal to approve the bill without giving the slightest reason,—the taking advantage of the rising of Congress to give it a silent go-by, is an act that may well awaken the attention of the People in the States concerned. It is an act, calling for close examination. It is an act, which calls loudly for justification by its author. And now, sir, I will close what I have to say on this particular subject by stating, that on the 22d of March, 1832, the President did actually approve and sign a bill, in favor of South-Carolina, by which it was enacted that her claim *for interest upon money actually expended* by her for military stores, during the late war, should be settled and paid; *the money so expended having been drawn by the State from a fund upon which she was receiving interest.* Now this, sir, was precisely the case of Massachusetts.

Mr. President,—I now approach an inquiry of a far more deep and affecting interest. Are the principles and measures of the Administration dangerous to the Constitution, and to the Union of the States? Sir, I believe them to be so; and I shall state the grounds of that belief.

In the first place, any Administration is dangerous to the Constitution, and to the Union of the States, which denies the essential powers of the Constitution, and thus strips it of the capacity to do the good intended by it.

The principles embraced by the Administration, and expressed in the Veto Message, are evidently hostile to the whole system of protection, by duties of impost, *on constitutional grounds.* Here, then, is *one* great power struck at once out of the Constitution; and one great end of its adoption defeated. And while this power is thus struck out of the Constitution, it is clear that it exists no where else; since the Constitution expressly takes it away from all the States.

The Veto Message denies the constitutional power of creating or continuing such an Institution as our whole experience has approved, for maintaining a sound, uniform, national currency, and for the safe collection of revenue. Here is *another* power, long used, but now lopped off. And *this* power, too, thus lopped off from the Constitution, is evidently not within the power of any of the individual States. No State can maintain a national currency; no State Institution can render to the revenue the services performed by a National Institution.

The principles of the Administration are hostile to Internal Improvements. Here is another power, heretofore exercised in many instances, now denied. The Administration denies the power, except with qualifications, which cast an air of ridicule over the whole subject; being founded on such distinctions as between salt water and fresh water, places above Custom Houses and places below; and others equally extraordinary.

Now, sir, in all these respects, as well as in others, I think the principles of the Administration are at war with the true principles of the Constitution; and that by the zeal and industry which it exerts to support its own principles, it does daily weaken the Constitution, and does put in doubt its long continuance. The inroad of to-day opens the way for an easier inroad to-morrow. When any one essential part is rent away, or, what is nearer the truth, when many essential parts are rent away, who is there to tell us *how long any other part is to remain?*

Sir, our condition is singularly paradoxical. We have an Administration opposed to the Constitution; we have an Opposition which is the main support of the Government and the laws. We have an Administration which denies, to the very Government which it administers, powers which it has exercised for forty years; it denies the protecting power, the bank power, and the power of internal improvement. The great and leading measures of the national legislature are all resisted by it. These, strange as it may seem, depend on the *Opposition* for support. We have in truth, an Opposition without which it would be difficult for the Government to get along at all. I appeal to every member of Congress present (and I am happy to see many here) to say, what would now become of the Government, if all the members of the Opposition were withdrawn from Congress. For myself, I declare my own conviction that its continuance might probably be very short. Take away the Opposition from Congress, and let us see what would probably be done the first session. The *TARIFF* would be entirely *repealed*. Every enactment having protection by duties as its main object would be struck from the statute book. Every work of internal improvement would be stopped. This would follow, as matter of course. The bank would go down, and a *treasury money agency* would take its place. The Judiciary act of 1789 would be repealed, so that the Supreme Court should exercise no power of revision over State decisions. And who would resist the doc-

trines of NULLIFICATION?—Look, sir, to the votes of Congress for the last three years, and you will see that each of these things would, in all human probability, take place at the next session, if the Opposition were to be withdrawn. The Constitution is threatened, therefore—imminently threatened, by the very fact that those are entrusted with its administration who are hostile to its essential powers.

But, sir, in my opinion, a yet greater danger threatens the Constitution and the Government; and that is from the attempt *to extend the power of the Executive at the expense of all the other branches of the Government, and of the people themselves.* Whatever accustomed power is denied to the Constitution, whatever accustomed power is denied to Congress, or to the Judiciary, *none is denied to the Executive.* Here, there is no retrenchment; here no apprehension is felt for the liberties of the people; here, it is not thought necessary to erect barriers against corruption.

I begin, sir, with the subject of removals from office for opinion's sake,—as I think, one of the most signal instances of the attempt to extend executive power. This has been a leading measure, a cardinal point, in the course of the Administration. It has proceeded, from the first, on a settled system of proscription for political opinions; and this system it has carried into operation to the full extent of its ability. The President has not only filled all vacancies with his own friends, generally those most distinguished as personal partizans, but he has turned out political opponents, and thus created vacancies, in order that he might fill them with his own friends. I think the number of removals and appointments is said to be *two thousand*. While the Administration and its friends have been attempting to circumscribe, and to decry, the powers belonging to other branches, it has thus seized into its own hands a patronage most pernicious and corrupting, an authority over men's means of living most tyrannical and odious, and a power to punish free men for political opinions altogether intolerable.

You will remember, sir, that the Constitution says not one word about the President's power of removal from office. It is a power, raised entirely by construction. It is a constructive power, introduced, at first, to meet cases of extreme public necessity. It has now become co-extensive with the Executive will, calling for no necessity, requiring no exigency, for its exercise; but to be exercised at all times without control,

without question, without responsibility. When the question of the President's power of removal was debated in the first Congress, those who argued for it, limited it to *extreme cases*. Cases, they said, might arise, in which it would be *absolutely necessary* to remove an officer, before the Senate could be assembled. An officer might become insane; he might abscond; and from these, and other supposable cases, it was said, the public service might materially suffer, if the President could not remove the incumbent. And it was further said, that there was little or no danger of the power's being abused, for party or personal objects. No President, it was thought, would ever commit such an outrage on public opinion. Mr. Madison, who thought the power ought to exist, and to be exercised in cases of high necessity, declared, nevertheless, that if a President should exercise the power when not called for by any public exigency, and merely for personal objects, *he would deserve to be impeached*. By a very small majority, I think in the Senate by the casting vote of the Vice President, Congress decided in favor of the existing power, upon the grounds which I have mentioned; granting the power, in a case of clear and absolute necessity, and denying its existence every where else.

Mr. President,—we should recollect that this question was discussed, and thus decided, when Washington was in the Executive Chair. Men knew, that, in his hands, the power would not be abused; nor did they conceive it possible that any of his successors could so far depart from his great and bright example, as, by abuse of the power, and by carrying that abuse to its utmost extent, to change the essential character of the Executive from that of an impartial guardian and executor of the laws, into that of the chief dispenser of party rewards. Three or four instances of removal occurred, in the first twelve years of the Government. At the commencement of Mr. Jefferson's administration, he made several others, not without producing much dissatisfaction; so much so, that he thought it expedient to give reasons to the people, in a public paper, for even the limited extent to which he had exercised the power. He placed his justification on particular circumstances, and peculiar grounds; which, whether substantial or not, showed, at least, that he did not regard the power of removal an ordinary power, still less a mere arbitrary one, to be used as he pleased, for whatever ends he pleased,

and without responsibility. As far as I remember, sir, after the early part of Mr. Jefferson's administration, hardly an instance occurred for near thirty years. If there were any instances, they were few. But at the commencement of the present Administration the precedent of these previous cases was seized on, and a *system*, a regular *plan of Government*, a well-considered scheme for the maintenance of party power, by the patronage of office, and this patronage to be created by general removal, was adopted, and has been carried into full operation. Indeed, before Gen. Jackson's inauguration, the party put the system into practice. In the last session of Mr. Adams's administration, the friends of Gen. Jackson constituted a majority in the Senate; and nominations, made by him to fill vacancies, which had occurred in the ordinary way, were postponed, by this majority, beyond the third of March, *for the purpose, openly avowed, of giving the nomination to Gen. Jackson.* A nomination for a Judge of the Supreme Court, and many others of less magnitude, were thus disposed of.

And what did we witness, sir, when the Administration actually commenced, in the full exercise of its authority? One universal sweep, one undistinguishing blow, levelled against all, who were not of the successful party. No worth, public or private, no service, civil or military, was of power to resist the relentless greediness of proscription. Soldiers of the late war, soldiers of the Revolutionary war, the very contemporaries of the liberties of the country, all lost their situations. No office was too high, and none too low; for *office* was the spoil,—and *all the spoils*, it is said, belong to the *victors!* If a man, holding an office, necessary for his daily support, had presented himself covered with the scars of wounds received in every battle, from Bunker Hill to York Town, these would not have protected him against this reckless rapacity. Nay, sir, if WARREN himself had been among the living, and had possessed any office under Government, high or low, he would not have been suffered to hold it a single hour, unless he could show that he had strictly complied with the party statutes, and had put a well-marked party collar round his own neck. Look, sir, to the case of the late venerable Major MELVILL. He was a spirit of 1776, one of the very first to venture in the cause of Liberty. He was of the Tea party; one of the very first to expose himself to British power.

And his whole life was consonant with this, its beginning. Always ardent in the cause of Liberty, always a zealous friend to his country, always acting with the party which he supposed cherished the genuine Republican Spirit most fervently, always estimable and respectable in private life, he seemed armed against this miserable petty tyranny of party, as far as man could be. But he felt its blow, and he fell. He held an office in the Custom House, and had holden it for a long course of years; and he was deprived of it, as if unworthy to serve the country which he loved, and for whose liberties, in the vigor of his early manhood, he had thrust himself into the very jaws of its enemies. There was no mistake in the matter. His character, his standing, his Revolutionary services, were all well known; but they were known to no purpose. They weighed not one feather against party pretensions. It cost no pains to remove him; it cost no compunction to wring his aged heart with this retribution from his country for his services, his zeal, and his fidelity. Sir, you will bear witness, that when his successor was nominated to the Senate, and the Senate was told who it was that had been removed to make way for that nomination, members were struck with horror. They had not conceived the Administration to be capable of such a thing; and yet, they said, what can *we* do? The man is removed;—*we* cannot recall him we can only act upon the nomination before us! Sir, you and I thought otherwise; and I rejoice that we did think otherwise. We thought it our duty to resist the nomination, to a vacancy thus created. We thought it our duty to oppose this proscription when, and where, and as, we constitutionally could. We besought the Senate to go with us, and to take a stand before the country on this great question. We invoked them to try the deliberate sense of the people; to trust themselves before the tribunal of public opinion; to resist at first, to resist at last, to resist always, the introduction of this unsocial, this mischievous, this dangerous, this belligerent principle, into the practice of the Government.

Mr. President,—as far as I know, there is no civilized country on earth, in which, on a change of rulers, there is such an *inquisition for spoil*, as we have witnessed in this free Republic. The Inaugural Address of 1829 spoke of a *searching operation* of government. The most searching operation, sir, of the present Administration has been its search for office and

place. Whenever, sir, did any English Minister, whig or tory, take such an inquest? When did he ever go down to low-water mark, to make an ousting of tide-waiters? When did he ever take away the daily bread of weighers, and gaugers, and measurers? Or when did he go into the villages, to disturb the little post-offices, the mail contracts, and any thing else, in the remotest degree connected with Government? Sir, a British Minister, who should do this, and should afterwards show his head in a British House of Commons, would be received by an universal hiss.

I have little to say, of the selections made to fill vacancies, thus created. It is true, however, and it is a natural consequence of the system which has been acted on, that within the last three years, more nominations have been rejected, on the ground of *unfitness*, than in all the preceding forty years of the government. And these nominations, you know, sir, could not have been rejected, but by votes of the President's own friends. The causes were too strong to be resisted. Even party attachment could not stand them. In some, not a third of the Senate, in others not ten votes, and in others not a single vote, could be obtained; and this, for no particular reason known only to the Senate; but on general grounds of the want of character and qualifications; on grounds, known to every body else, as well as to the Senate. All this, sir, is perfectly natural and consistent. The same party selfishness which drives good men out of office will push bad men in. Political proscription leads necessarily to the filling of offices with incompetent persons, and to a consequent mal-execution of official duties. In my opinion, sir, it will effectually change the character of our Government, this acting upon the avowed principle of claiming office by right of conquest, unless the public shall rebuke and restrain it. It elevates party above country; it forgets the common weal, in the pursuit of personal emolument; it tends to form, it does form, we see that it has formed, political combinations, held together by no common principles or opinions among its members, either upon the powers of the Government, or the true policy of the country; but held together simply as an association, under the charm of a popular head, seeking to maintain possession of the Government by a *vigorous exercise of its patronage*; and for this purpose agitating, and alarming, and distressing social life by the exercise of a tyrannical party proscription. Sir, if this

course of things cannot be checked, good men will grow tired of the exercise of political privileges. They will have nothing to do with popular elections. They will see that such elections are but a mere selfish contest for office; and they will abandon the Government to the scramble of the bold, the daring, and the desperate.

It seems, Mr. President, to be a peculiar and singular characteristic of the present Administration, that it came into power on a cry against abuses, *which did not exist*, and then, as soon as it was in, as if in mockery of the perception and intelligence of the People, *it created those very abuses*, and carried them to a great length. Thus the Chief Magistrate himself, before he came into the chair, in a formal public paper, denounced the practice of appointing members of Congress to office. He said, that if that practice continued, *corruption would become the order of the day*; and as if to fasten, and nail down his own consistency to that point, he declared that it was "*due to himself to practise what he recommended to others.*" Yet, sir, as soon as he was in power, these fastenings gave way, the nails all flew, and the promised *consistency* remains, a striking proof of the manner in which political assurances are sometimes fulfilled. For, sir, he has already appointed more members of Congress to office than any of his predecessors, in the longest period of administration. Before his time, there was no reason to complain of these appointments. They had not been numerous, under any Administration. Under this, they have been numerous, and some of them such as may well justify complaint.

Another striking instance of the exhibition of the same characteristics, may be found in the sentiments of the Inaugural Address, and in the subsequent practice, on the subject of *interfering with the freedom of elections*. The Inaugural Address declares, that it is necessary to reform abuses which have *brought the patronage of the Government into conflict with the freedom of elections*. And what has been the subsequent practice? Look to the newspapers;—look to the published letters of officers of the Government, advising, exhorting, soliciting friends and partizans to greater exertions, in the cause of the Party;—see all done, every where, which patronage and power can do, to affect not only elections in the General Government, but also in every State Government—and then say, how well *this* promise of reforming abuses has been kept. At what

former period, under what former Administration, did public officers of the United States thus interfere in elections? Certainly, sir, never. In this respect, then, as well as in others, that which was not true, as a charge against previous Administrations, would have been true, if it had assumed the form of a prophecy, respecting the acts of the present.

But there is another attempt to grasp, and to wield, a power over public opinion, of a still more daring character, and far more dangerous effects.

In all popular governments, a **FREE PRESS** is the most important of all agents and instruments. It not only expresses public opinion, but, to a very great degree, it contributes to form that opinion. It is an engine, for good or for evil, as it may be directed; but an engine, of which nothing can resist the force. The conductors of the press, in popular governments, occupy a place, in the social and political system, of the very highest consequences. They wear the character of public instructors. Their daily labors bear directly on the intelligence, the morals, the taste, and the public spirit of the country. Not only are they journalists, recording political occurrences, but they discuss principles, they comment on measures, they canvass characters; they hold a power over the reputation, the feelings, the happiness of individuals. The public ear is always open to their addresses, the public sympathy easily made responsive to their sentiments. It is, indeed, sir, a distinction of high honor, that theirs is the only profession expressly protected and guarded by constitutional enactments. Their employment soars so high, in its general consequences, it is so intimately connected with the public happiness, that its security is provided for by the fundamental law. While it acts in a manner worthy of this distinction, the press is a fountain of light, and a source of gladdening warmth. It instructs the public mind, and animates the spirit of patriotism. Its loud voice suppresses every thing, which would raise itself against the public liberty; and its blasting rebuke causes incipient despotism to perish in the bud.

But remember, sir, that these are the attributes of a **FREE Press**, only. And is a press that is purchased or pensioned, more free than a press that is fettered? Can the People look for truths to partial sources, whether rendered partial through fear, or through favor? Why shall not a manacled press be

trusted with the maintenance and defence of popular rights? Because it is supposed to be under the influence of a power, which may prove greater than the love of truth. Such a press may screen abuses in Government, or be silent. It may fear to speak. And may it not fear to speak, too, when its conductors, if they speak in any but one way, may lose their means of livelihood? Is dependence on Government for bread no temptation to screen its abuses? Will the Press always speak the truth, though the truth, if spoken, may be the means of silencing it for the future? Is the truth in no danger, is the watchman under no temptation, when he can neither proclaim the approach of national evils, nor seem to descry them, without the loss of his place?

Mr. President,—an open attempt to secure the aid and friendship of the public press, by bestowing the emoluments of office on its active conductors, seems to me, of every thing we have witnessed, to be the most reprehensible. It degrades both the Government and the press. As far as its nautral effect extends, it turns the palladium of liberty into an engine of party. It brings the agency, activity, energy and patronage of Government, all to bear, with united force, on the means of general intelligence, and on the adoption or rejection of political opinions. It so completely perverts the true object of Government, it so entirely revolutionizes our whole system, that the chief business of those in power is directed rather to the propagation of opinions, favorable to themselves, than to the execution of the laws. This propagation of opinions, through the press, becomes the main Administration duty. Some fifty or sixty editors of leading journals have been appointed to office by the present Executive. A stand has been made against this proceeding, in the Senate, with partial success; but by means of appointments, which do not come before the Senate, or other means, the number has been carried to the extent I have mentioned. Certainly, sir, the editors of the public journals are not to be disfranchised. Certainly, they are fair candidates either for popular elections, or a just participation in office. Certainly, they reckon, in their number, some of the first geniuses, the best scholars, and the most honest and well-principled men, in the country. But the complaint is against the *system*, against the *practice*, against the undisguised attempt to secure the favor of the press, by means addressed to its pecuniary interest; and these means, too, drawn from the public treasury,

being no other than the appointed compensations for the performance of official duties. Sir, the press itself should resent this. Its own character for purity and independence is at stake. It should resist a connexion, rendering it obnoxious to so many imputations. It should point to its honorable denomination, in our Constitutions of Government, and it should maintain the character there ascribed to it, of a **FREE PRESS**.

There can, sir, be no objection to the appointment of an Editor to office, if he is the fittest man. There can be no objection to considering the services, which, in that, or any other capacity, he may have rendered his *country*. He may have done much to maintain her rights against foreign aggression, and her character against insult. He may have honored, as well as defended her; and may, therefore, be justly regarded and selected, in the choice of faithful public agents. But the ground of complaint is, *that the aiding, by the press, of the election of an individual, is rewarded, by that same individual, with the gift of monied offices*. Men are turned out of office, and others put in, and receive salaries from the public treasury, on the ground, either openly avowed, or falsely denied, that they had rendered service in the election of the very individual, who makes this removal, and makes this appointment.—Every man, sir, must see, that this is a vital stab at the purity of the press. It not only assails the independence of the press, by addressing sinister motives, but it furnishes the means of exciting these motives from the public treasury. It extends the Executive power over the press, in a most daring manner. It operates to give a direction to opinion, not favorable to the Government, in the aggregate, not favorable to the Constitution and laws, not favorable to the Legislature, but favorable to the Executive alone. The consequence often is, just what might be looked for, that the portion of the press, thus made fast to the Executive interest, denounces Congress, denounces the Judiciary, complains of the laws, and quarrels with the Constitution. This exercise of the right of appointment, to this end, is an augmentation, and a vast one, of the Executive power, singly and alone. It uses that power, strongly against all other branches of the Government, and it uses it strongly, too, for any struggle which it may be called on to make with general public opinion. Mr. President, I will quit this topic. There is much in it, in my judgment, affecting, not only the purity and independence of the press, but also the character and honor, the peace and

security of the Government. I leave it, in all its bearings, to the consideration of the people.

Mr. President,—among the novelties introduced into the Government, by the present Administration, is the frequent use of the President's negative, on acts of Congress. Under former Presidents, this power has been deemed an extraordinary one, to be exercised only in peculiar and marked cases. It was vested in the President, doubtless, as a guard against hasty or inconsiderate legislation, and against any act, inadvertently passed, which might seem to encroach on the just authority of other branches of the Government. I do not recollect that, by all Gen. Jackson's predecessors, this power was exercised more than four or five times. Not having resorted to Journals, I cannot, of course, be sure that I am numerically accurate in this particular; but such is my belief. I recollect no instance in the time of Mr. John Adams, Mr. Jefferson, or Mr. John Quincy Adams. The only cases which occur to me are, two in General Washington's administration, two in Mr. Madison's; and one in Mr. Monroe's. There may be some others; but we all know that it is a power which has been very sparingly and reluctantly used, from the beginning of the Government. The cases, sir, to which I have now referred, were cases, in which the President returned the Bill *with objections*. The *silent Veto* is, I believe, the exclusive adoption of the present Administration. I think, indeed, that some years ago, a bill, by inadvertence or accident, failed to receive the President's signature, and so did not become a law. But I am not aware of any instance, before the present Administration, in which the President has, by design, omitted to sign a bill, and yet has not returned it to Congress. But since the present Administration came into power, the *Veto*, in both kinds, has been repeatedly applied. In the case of the Maysville Road, the Montgomery Road, and the Bank, we have had the *Veto*, *with* reasons. In an internal improvement bill of a former session, in a similar bill at the late session, and in the State interest bill, we had the *silent Veto*, or refusal *without reasons*.

Now, sir, it is to be considered, that the President has the power of recommending measures to Congress. Through his friends, he may and does oppose, also, any legislative movement, which he does not approve. If, in addition to this, he may exercise a *silent Veto*, at his pleasure, on all the bills

presented to him during the last ten days of the session ; if he may refuse assent to them all, without being called upon to assign any reasons whatever, it will certainly be a great practical augmentation of his power. Any one who looks at a volume of the statutes, will see that a great portion of the laws are actually passed within the last ten days of each session. If the President is at liberty to negative any, or all, of these laws, at pleasure, or rather, to refuse to render the bills laws, by approving them, and still may neglect to return them to Congress, for renewed action, he will hold a very important control over the legislation of this country. The day of adjournment is usually fixed, some weeks in advance. This being fixed, a little activity and perseverance may easily, in most cases, and perhaps in all, where no alarm has been excited, postpone important pending measures to a period within ten days of the close of the session : and this operation leaves all such measures at the pleasure of the President, to sign the bills or not, without being obliged to state his reasons publicly.

A silent VETO, on the Bank Bill, would have been the inevitable fate of that Bill, if its friends had not refused to fix on any term for adjournment before the President should have had the bill so long as to be required, by constitutional provisions, to sign it, or to send it back with his reasons for not signing it. The two Houses did not agree, and would not agree, to fix a day for adjournment, until the Bill was sent to the President, and then care was taken to fix on such a day as should allow him the whole constitutional period. This seasonable presentment rescued the bill from the power of the silent negative.

This practical innovation on the mode of administering the Government, so much at variance with its general principles, and so capable of defeating the most useful acts, deserves public consideration. Its tendency is, to disturb the harmony, which ought always to exist between Congress and the Executive, and to turn that, which the Constitution intended only as an extraordinary remedy, for extraordinary cases, into a common means of making Executive discretion paramount to the discretion of Congress, in the enactment of laws.

Mr. President,—the Executive has not only used these unaccustomed means, to prevent the passage of laws, but

it has also refused to enforce the execution of laws actually passed. An eminent instance of this, is found in the course adopted relative to the Indian Intercourse Law of 1802. Upon being applied to, in behalf of the MISSIONARIES, to execute that law, for their relief and protection, the President replied, that *the State of Georgia having extended her laws over the Indian territory, the laws of Congress had thereby been superseded*. This is the substance of his answer, as communicated through the Secretary of War. He holds, then, that the law of the State is *paramount to the law of Congress*. The Supreme Court has adjudged this act of Georgia to be void, as being repugnant to a constitutional law of the United States. But the President pays no more regard to this decision, than to the act of Congress itself. The MISSIONARIES remain in prison, held there by a condemnation, under a law of a State, which the Supreme Judicial Tribunal has pronounced to be null and void. The Supreme Court have decided that the act of Congress is constitutional, that it is a binding statute, that it has the same force as other laws, and is as much entitled to be obeyed and executed as other laws. The President, on the contrary, declares that the law of Congress has been superseded, by the law of the State, and therefore he will not carry its provisions into effect. Now we know, sir, that the Constitution of the United States declares, that *that Constitution, and all acts of Congress passed in pursuance of it, shall be the supreme law of the land, any thing in any State law to the contrary notwithstanding*. This would seem to be a plain case, then, in which the law should be executed. It has been solemnly decided to be in actual force, by the highest judicial authority ; its execution is demanded for the relief of free citizens, now suffering the pains of unjust and unlawful imprisonment ; yet the President *refuses to execute it*.

In the case of the Chicago Road, some sessions ago, the President approved the Bill, but accompanied his approval by a Message, saying *how far he deemed it a proper law, and how far, therefore, it ought to be carried into execution*.

In the case of the Harbor Bill of the late session, being applied to, by a member of Congress for directions for carrying parts of the law into effect, he declined giving them, and *made a distinction between such parts of the law as he*

should cause to be executed, and such as he shou'd not ; and his right to make this distinction has been openly maintained, by those who habitually defend his measures. Indeed, sir, these, and other instances of liberties taken with plain statute laws, flow, naturally, from the principles expressly avowed by the President, under his own hand. In that important document, sir, upon which it seems to be his fate to stand, or to fall, before the American People, the VETO Message, he holds the following language : “ *Each public officer, who takes an oath to support the Constitution, swears that he will support it as he understands it, and not as it is understood by others.*” Mr. President, the general adoption of the sentiments, expressed in this sentence, would dissolve our Government. It would raise every man’s private opinions into a standard for his own conduct ; and there certainly is, there can be, no government, where every man is to judge, for himself, of his own rights, and his own obligations. Where every one is his own arbiter, force, and not law, is the governing power. He who may judge for himself, and decide for himself, must execute his own decisions ; and this is the law of force. I confess, sir, it strikes me with astonishment, that so wild, so disorganizing a sentiment should be uttered by a President of the United States. I should think it must have escaped from its author, through want of reflection, or from the habit of little reflection, on such subjects, if I could suppose it possible, that on a question exciting so much public attention, and of so much national importance, any such extraordinary doctrine could find its way through inadvertence, into a formal and solemn public act. Standing as it does, it affirms a proposition which would effectually repeal all Constitutional and all legal obligations. The Constitution declares, that every public officer, in the State Government, as well as in the General Government, shall take an oath *to support the Constitution of the United States*. This is all. Would it not have cast an air of ridicule on the whole provision, if the Constitution had gone on to add the words, “ *as he understands it ?*” What could come nearer to a solemn farce, than to bind a man, by oath, and still leave him to be his own interpreter of his own obligation ? Sir, those who are to execute the laws have no more a license to construe them, for themselves, than those whose only duty is to obey

them. Public officers are bound to support the Constitution ; private citizens are bound to obey it ; and there is no more indulgence granted to the public officer, to support the Constitution only *as he understands it*, than to a private citizen to obey it *only as he understands it* ; and what is true of the Constitution, in this respect, is equally true of any law. Laws are to be executed, and to be obeyed, not as individuals may interpret them, but according to public, authoritative interpretation and adjudication. The sentiment of the message would abrogate the obligation of the whole criminal code. If every man is to judge of the Constitution and the laws for himself, if he is to obey, and support them, *only as he may say he understands them*, a revolution, I think, would take place in the administration of justice ; and discussions about the law of *treason, murder and arson*, should be addressed, not to the judicial bench, but to those who might stand charged with such offences. The object of discussion should be, if we run out this notion to its natural extent, to convince the culprit himself how he ought to understand the law.

Mr. President,—how is it possible, that a sentiment so wild, and so dangerous, so encouraging to all who feel a desire to oppose the laws, and to impair the Constitution, should have been uttered by the President of the United States, at this eventful and critical moment ? Are we not threatened with dissolution of the Union ? Are we not told that the laws of the Government shall be openly and directly resisted ? Is not the whole country looking, with the utmost anxiety, to what may be the result of these threatened courses ? And, at this very moment, so full of peril to the State, the Chief Magistrate puts forth opinions and sentiments as truly subversive of all Government, as absolutely in conflict with the authority of the Constitution, as the wildest theories of Nullification. Mr. President, I have very little regard for the law, or the logic, of Nullification. But there is not an individual in its ranks, capable of putting two ideas together, who, if you will grant him the principles of the Veto Message, cannot defend all that Nullification has ever threatened. To make this assertion good, sir, let us see how the case stands. The Legislature of South-Carolina, it is said, will nullify the late Revenue, or Tariff law, because, *they say*, it is not warranted by the Constitution of the United States, *as they understand the Constitution*. *They*, as well as the President of the United

States, have sworn to support the Constitution. Both he and they have taken the same oath, in the same words.

Now, sir, since he claims the right to interpret the Constitution as he pleases, how can he deny the same right to *them*? Is his oath less stringent than theirs? Has he a prerogative of dispensation, which they do not possess? How can he answer them, when they tell him, that the Revenue laws are unconstitutional, *as they understand the Constitution*, and that, therefore, they will nullify them? Will he reply to them, according to the doctrines of his annual Message in 1830, that *precedent* has settled the question, if it was ever doubtful? They will answer him in his own words, in the Veto Message, that in such a case *precedent* is not binding. Will he say to them, that the Revenue law is a law of Congress, which must be executed, until it shall be declared void? They will answer him, that, in other cases, he has himself refused to execute laws of Congress which had not been declared void, but which had been, on the contrary, declared valid. Will he urge the force of judicial decision? They will answer, that he himself does not admit the binding obligation of such decisions. Sir, the President of the United States is of opinion, that an individual, called on to execute a law, may, himself, judge of its constitutional validity. Has Nullification any thing more revolutionary than that? The President is of opinion that judicial interpretations of the Constitution and the laws, do not bind the consciences, and ought not to bind the conduct, of men. Has Nullification any thing more disorganizing than that? The President is of opinion, that every officer is bound to support the Constitution only according to what ought to be, in his private opinion, its construction. Has Nullification, in its widest flight, ever reached to an extravagance like that? No, sir, never. The doctrine of Nullification, in my judgment a most false, dangerous, and revolutionary doctrine, is this; that *the State*, or *a State*, may declare the extent of the obligations which its citizens are under to the United States; in other words, that a State, by State laws, and State judicatures, may conclusively construe the Constitution, for its own citizens. But that every individual may construe it for himself, is a refinement on the theory of resistance to constitutional power, a sublimation of the right of being disloyal to the Union, a free charter for the elevation of private opinion above the authority of the fundamental law

of the State, such as was never presented to the public view, and the public astonishment, even by Nullification itself.— Its first appearance is in the Veto Message. Melancholy, lamentable, indeed, sir, is our condition, when at a moment of serious danger and wide-spread alarm, such sentiments are found to proceed from the Chief Magistrate of the Government. Sir, I cannot feel that the Constitution is safe in such hands. I cannot feel that the present Administration is its fit and proper guardian.

But let me ask, sir, what evidence there is, that the President is himself opposed to the doctrines of Nullification? I do not say to the political party, which now pushes these doctrines, but to the doctrines themselves. Has he any where rebuked them? Has he any where discouraged them? Has his influence been exerted to inspire respect for the Constitution, and to produce obedience to the laws? Has he followed the bright example of his predecessors, has he held fast by the institutions of the country, has he summoned the good and the wise around him, has he admonished the country that the Union is in danger, and called on all the patriotic to come out in its support? Alas! sir, we have seen nothing, nothing, of all this.

Mr. President,—I shall not discuss the doctrine of Nullification. I am sure it can have no friends here. Gloss it and disguise it as we may, it is a pretence incompatible with the authority of the Constitution. If direct separation be not its only mode of operation, separation is, nevertheless, its direct consequence. That a State may nullify a law of the Union, and still remain *in* the Union; that she may have Senators and Representatives in the Government, and yet be at liberty to disobey and resist the Government; that she may partake in the common councils, and yet not be bound by their results; that she may control a law of Congress, so that it shall be one thing, with her, while it is another thing with the rest of the States; all these propositions seem to be so absolutely at war with common sense and reason, that I do not understand how any intelligent person can yield the slightest assent to them. Nullification, it is in vain to attempt to conceal it, is dissolution; it is dismemberment; it is the breaking up of the Union. If it shall practically succeed, in any one State, from that moment there are twenty-four States in the Union no longer. Now, sir, I think it exceedingly proba-

ble that the President may come to an open rupture with that portion of his original party, which now constitutes what is called the Nullification party. I think it likely he will oppose the proceedings of that party, if they shall adopt measures, coming directly in conflict with the laws of the United States. But how will he oppose? *What will be his course of remedy?* Sir, I wish to call the attention of the meeting, and of the People, earnestly to this question, *How will the President attempt to put down Nullification, if he shall attempt it at all?*

Sir, for one, I protest in advance against such remedies as I have heard hinted. The Administration itself keeps a profound silence, but its friends have spoken for it. *We are told, sir, that the President will immediately employ the military force, and at once blockade Charleston!* A military remedy, a remedy by direct belligerent operation, has been thus suggested, and nothing else has been suggested, as the intended means of preserving the Union. Sir, there is no little reason to think, that this suggestion is true. We cannot be altogether unmindful of the past; and therefore we cannot be altogether unapprehensive for the future. For one, sir, I raise my voice beforehand, against the unauthorized employment of military power, and against superseding the authority of the laws, by an armed force, under pretence of putting down Nullification. The President has no authority to blockade Charleston; the President has no authority to employ military force, till he shall be duly required so to do, by law, and by the civil authorities. His duty is, to cause the laws to be executed. His duty is to support the civil authority. His duty is, if the laws be resisted, to employ the military force of the country, if necessary, for their support and execution; but to do all this in compliance only with law, and with decisions of the tribunals. If, by any ingenious devices, those who resist the laws escape from the reach of judicial authority, as it is now provided to be exercised, it is entirely competent to Congress to make such new provisions as the exigency of the case may demand. These provisions undoubtedly would be made. With a constitutional and efficient head of the Government, with an Administration really and truly in favor of the Constitution the country can grapple with Nullification. By the force of reason, by the progress of enlightened opinion, by the natural, genuine patriotism of the country, and by the steady and well-sustained

operations of law, the progress of disorganization may be successfully checked, and the Union maintained. Let it be remembered, that where Nullification is most powerful, it is not unopposed. Let it be remembered, that they who would break up the Union by force, have to march toward that object through thick ranks of as brave and good men as the country can show ; men, strong in character, strong in intelligence, strong in the purity of their own motives, and ready, always ready, to sacrifice their fortunes and their lives to the preservation of the Constitutional Union of the States. If we can relieve the country from an Administration, which denies to the Constitution those powers which are the breath of its life, if we can place the Government in the hands of its friends, if we can secure it against the dangers of irregular and unlawful military force, if it can be under the lead of an Administration, whose moderation, firmness, and wisdom shall inspire confidence and command respect, we may yet surmount the dangers, numerous and formidable as they are, which surround us.

And, sir, I see little prospect of overcoming these dangers, without a change of men. After all that has passed, the re-election of the present Executive will give the national sanction to sentiments, and to measures, which will effectually change the government ; which, in short, must destroy the government. If the President be re-elected, with concurrent and co-operating majorities in both Houses of Congress, I do not see, that in four years more, all the power, which is suffered to remain in the Government, will not be holden by the Executive hand. Nullification will proceed, or will be put down by a power as unconstitutional as itself. The revenues will be managed by a Treasury Bank. The use of the Veto will be considered as sanctioned by the public voice. The Senate, if not "cut down," will be bound down ; and the President, commanding the Army and the Navy, and holding all places of trust to be party property, what will then be left, sir, for Constitutional reliance ?

Sir, we have been accustomed to venerate the Judiciary, and to repose hopes of safety on that branch of the Government. But let us not deceive ourselves. The Judicial power cannot stand, for a long time, against the Executive power. The Judges, it is true, hold their places by an independent tenure ; but they are mortal. That, which is the common

lot of humanity, must make it necessary to renew the benches of justice. And how will they be filled? Doubtless, sir, they will be filled by incumbents, agreeing with the President, in his constitutional opinions. If the Court is felt as an obstacle, doubtless the first opportunity, and every opportunity, will be embraced, to give it less and less the character of an obstacle. Sir, without pursuing these suggestions, I only say that the country must prepare itself for any change in the Judicial Department, such as it shall deliberately sanction, in other departments.

But, sir, what is the prospect of change? Is there any hope, that the national sentiment will recover its accustomed tone, and restore to the Government a just and efficient administration?

Sir, if there be something of doubt on this point, there is also something, perhaps much, of hope. The popularity of the present Chief Magistrate, springing from causes not connected with his administration of the Government, has been great. Public gratitude for military service has remained fast to him, in defiance of many things, in his civil administration, calculated to weaken its hold. At length, there are indications, not to be denied, of new sentiments, and new impressions. At length, a conviction of danger to important interests, and to the security of the Government, has made its lodgement, in the public mind. At length, public sentiment begins to have its free course, and to produce its just effects. I fully believe, sir, that a great majority of the nation desire a change in the administration; and that it will be difficult for party organization, or party denunciation to suppress the effective utterance of that general wish. There are unhappy differences, it is true, about the fit person to be successor to the present incumbent, in the Chief Magistracy; and it is possible, that this disunion, may, in the end, defeat the will of the majority. But so far as we agree together, let us act together. Wherever our sentiments concur, let our hands co-operate. If we cannot, at present, agree, who should be President, we are at least agreed who ought not to be. I fully believe, sir, that gratifying intelligence is already on the wing. While we are yet deliberating, in Massachusetts, Pennsylvania is voting. This week, she elects her members to the next Congress. I doubt not, the result of that election will show an important change in public sentiment, in that

State ; nor can I doubt that the great States adjoining her, holding similar constitutional principles, and having similar interests, will feel the impulse of the same causes which affect her. The people of the United States, by a vast and countless majority, are attached to the Constitution. If they shall be convinced that it is in danger, they will come to its rescue, and will save it. It cannot be destroyed, even now, if THEY will undertake its guardianship and protection.

But suppose, sir, there was less hope than there is, would that consideration weaken the force of our obligations ? Are we at a post, which we are at liberty to desert, when it becomes difficult to hold it ? May we fly at the approach of danger ? Does our fidelity to the Constitution require no more of us than to enjoy its blessings, to bask in the prosperity which it has shed around us, and our fathers, and are we at liberty to abandon it, in the hour of its peril, or to make for it but a faint and heartless struggle, for the want of encouragement, and the want of hope ? Sir, if no State come to our succor, if every where else the contest should be given up, here let it be protracted, to the last moment. Here, where the first blood of the Revolution was shed, let the last effort for that which is the greatest blessing obtained by the Revolution, a free and united Government, be made. Sir, in our endeavors to maintain our existing forms of Government, we are acting not for ourselves alone, but for the great cause of Constitutional liberty all over the globe. We are trustees, holding a sacred treasure, in which all the lovers of freedom have a stake. Not only in Revolutionized France, where there are no longer *subjects*, where the monarch can no longer say, *he is the State*, not only in reformed England, where our principles, our institutions, our practice of free Government are now daily quoted and commended ; but in the depths of Germany, also, and among the desolated fields, and the still smoking ashes of Poland, prayers are uttered for the preservation of our Union and happiness. We are surrounded, sir, by a cloud of witnesses. The gaze of the sons of liberty, every where, is upon us, anxiously, intently, upon us. They may see us fall in the struggle for our Constitution and Government, but Heaven forbid that they should see us recreant.

At least, sir, let the Star of Massachusetts be the last which shall be seen to fall from heaven, and to plunge into the utter darkness of disunion. Let her shrink back, let her hold

others back, if she can; at any rate, let her keep herself back, from this gulf, full, at once, of fire, and of blackness; yes, sir, as far as human foresight can scan, or human imagination fathom, full of the fire, and the blood, of civil war, and of the thick darkness of general political disgrace, ignominy, and ruin. Though the worst may happen that can happen, and though she may not be able to prevent the catastrophe, yet, let her maintain her own integrity, her own high honor, her own unwavering fidelity, so that with respect and decency, though with a broken and a bleeding heart, she may pay the last tribute to a glorious, departed, free Constitution.



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